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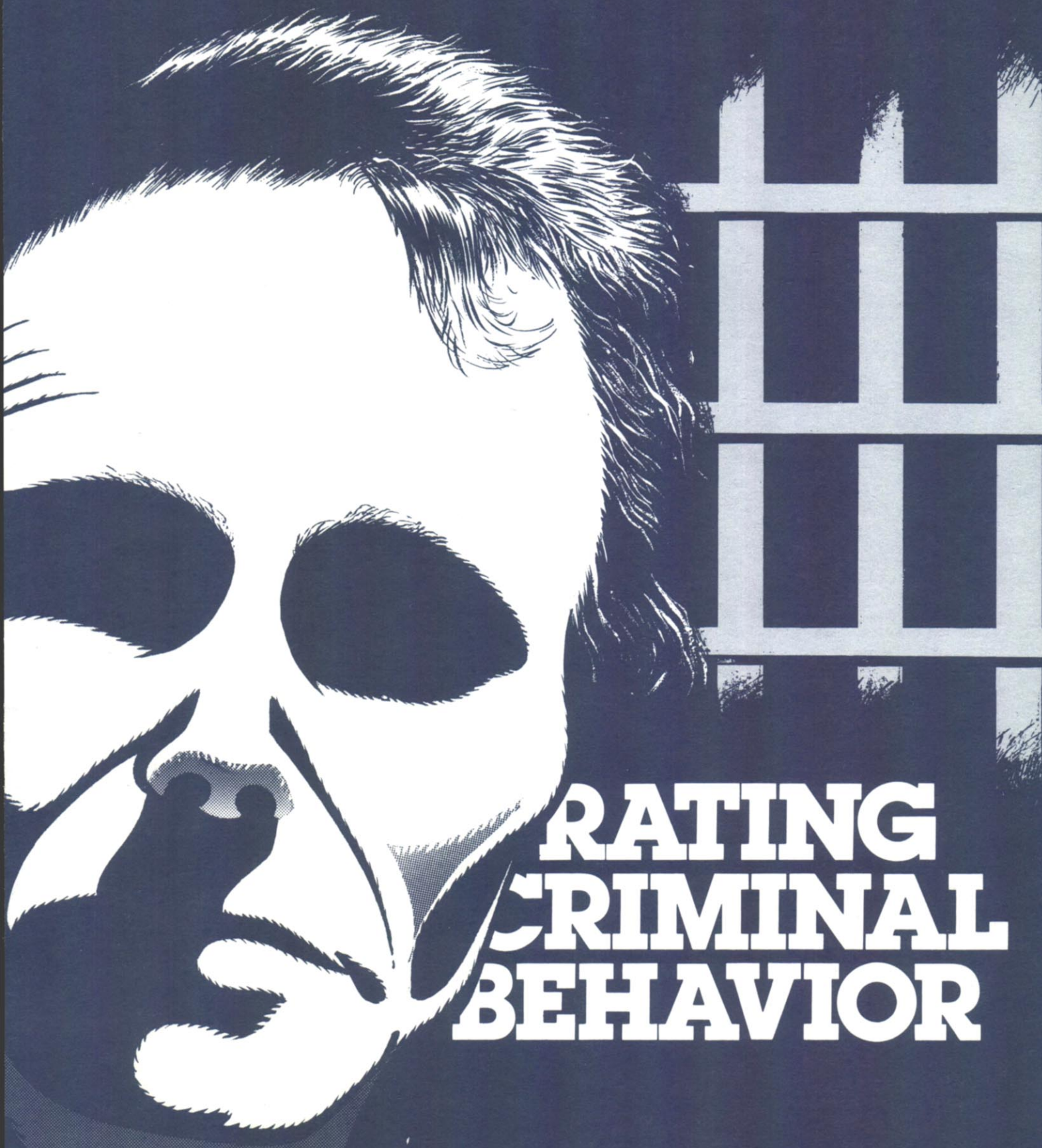

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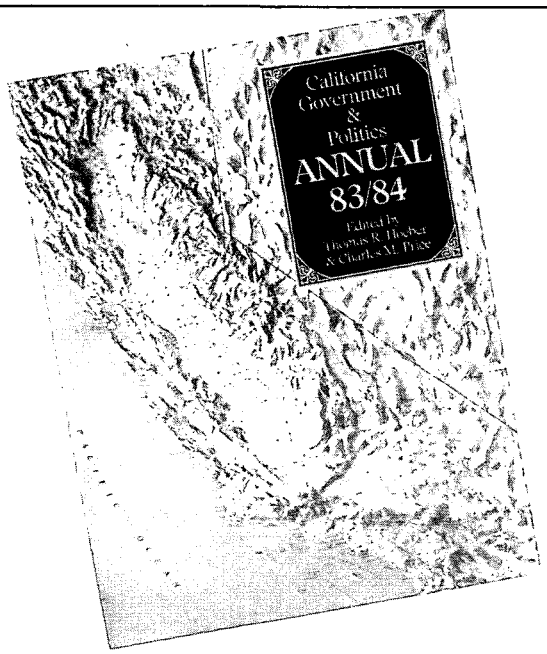

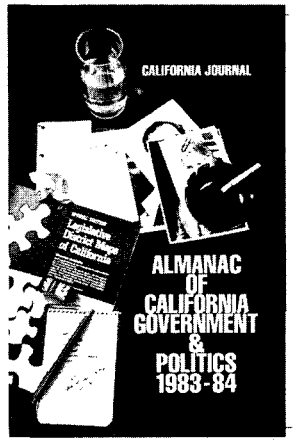

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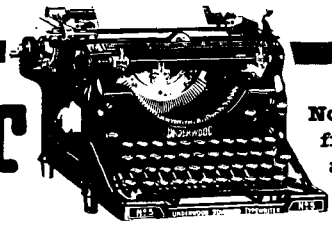
UP FRONT



Notes and Items from Contributors and the Journal Staff.

Jim Dantona has had two short-lived jobs in his career, both due to bad timing. Back in 1969, he was invited to Spring Training by the Chicago Cubs. An infielder, he happened to join the Cubbies at a time when they employed the best infield in baseball: Ernie Banks (1b), Glenn Beckert (2b), Don Kessinger (ss) and "Pizza Man" Ron Santo (3b). Dantona's career lasted three weeks. Now, another job has gone down in flames. This past July, Dantona took a leave of absence from the Southern California staff of Senate Pro Tempore David Roberti in order to co-ordinate the Senate's anti-Sebastiani effort. On September 15th, the State Supreme Court vetoed the special reapportionment election, thereby short-circuiting Dantona's job. Chances are Dantona is happier about being released from the Sebastiani campaign than he was about being released from the Cubs.

(Karen West, Simi Valley)

We are told that the Hotel and Motel Owners Association served Sebastiani wine at a recent luncheon in San Fran-

cisco. No problem, except that their distinguished guest was Assembly Speaker Willie Brown. Since this occurred before the Supreme Court overturned the Sebastiani initiative, the speaker ordered his bottle returned.

You know how everybody was saying the Legislature would go into a frenzy of money raising because of the Sebastiani initiative? They were right. Before the state Supreme Court knocked the initiative off the ballot on September 15th, one lobbyist said he'd gotten more personal calls from legislators in the last two months than he had in the past 20 years.

Considering that the reapportionment squabble was mostly over the drawing of maps, we consider it altogether appropriate that the Sebastiani camp employed a press secretary named R. McNally.

According to the California headquarters for the Selective Service System, more than 10,000 Californians named Smith have registered for the draft in the last three years, along with 7500 Johnsons, 6000 Williamses and 2000 Rodriquezes.

Al Rodda, dean of the State Senate until his surprise defeat in 1980, is making a comeback. Now 71, he has filed to run for a seat on the Los Rios community college board in Sacramento.

When a soviet pilot launched two missiles into Korea Air Lines flight 007, he did more than shoot down a Boeing 747 with 269 people aboard. He may have damaged the presidential aspirations of Democratic Senator Alan Cranston of California, an arms control advocate whose campaign is pegged to better relations with the USSR. Cranston, though, doesn't see it that way. When it was suggested that, in the public's view, the KAL incident might hurt his campaign, Cranston replied, "This is just the knee-jerk reaction of people who don't think things through."

When reminded that such a statement had been made by his California campaign chairman, State Treasurer Jesse Unruh, Cranston grinned and said, "I'll have to educate him, convince him that in the long run there has been no damage done."

(Dick Bergholz, Los Angeles)

Here's a local government user fee that ought to bring a quick response from Republican Senator H.L. Richardson and some of his bunny-blasting friends. The Chico City Council recently raised the permit fee for carrying a concealed weapon from nine dollars to $10.50. This should worry the senator, for as Chico City Councilman Bill Brashears noted, "If the fee keeps going up, only rich people will have guns."

(Jim Haynes, Chico)

Credit Congressman Henry Waxm of Los Angeles with helping to move major bill to control campaign spendi from the state Senate August 25th. Wa man, in a phone call, convinced Senat Herschel Rosenthal, also of L.A., to dr his opposition and support the measur thus giving it the necessary 27 vote Rosenthal believes that spending limi harm Democrats, of which he, like Wa man, is one. But he says that Waxmar argument (that an "aye" vote wou merely send the bill to a conference co mittee for drafting of a final version) w persuasive. As an assemblyman in t early 1970's, Waxman co-authored a m jor reform bill of that time, requiring d closure of campaign fund sources.

Apparently not everyone in Adelan wants a prison to be built in that co munity (see "Up Front," *CJ*, Augu 1983). Although the city requested a cc rectional facility be located there, sor citizens of that Southern California tov feel they're about to be steam-rollered l the Department of Corrections. "A ve small number of people hope to reap be efits . . . and enhance real estate values writes Myrtle Brown of near-by App Valley. She adds that the Department Corrections has worked hand-in-glo with the few and ignored concerns of pe ple opposed to the project. "We feel li a giant has laid a big foot on us," she co cludes.

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A sharp-eyed reader, Andrew Blum of n Francisco, has caught an error in eve Greenberg's latest rendition of alifornia Believe It, Why Not?" (see , July 1983). Greenberg says that Calrnia grizzlies "are proportionately ger" than shown on the great seal of State of California. Well, that should d "were proportionately larger." Acding to the Department of Fish and me, there hasn't been a griz' prowling ound California since the 1930s. And t you think sportsmen blew them all ay, the department's bear biologist rets that over 90 percent of the state's zzly population was killed off well be- Captain John Sutter arrived on the cramento. Vaqueros, the Spanish cowys of old, hunted down most of them in 1700s to protect their vast herds of tle.

Speaking of endangered species, ep an eye on Don Carper, appointed s past June by Governor Deukmejian head up the Fish and Game Commisn. According to sources, Carper is in ep trouble in the Senate. Critics claim e 49-year-old Carper, who owns a mailder gun supply business in El Segundo, s no education, no training and no ckground in wildlife and conservation ues and is therefore unqualified for the . And, this isn't just conservationists king. A coalition, including commerl fishing interests, longshoreman and arehouseman unions, plans to fight th-and-claw to stop Carper's confirtion come January.

Vigo "Chip" Nielsen, an attorney specializing in political law, apparently inks there is corruption beneath the lden dome. Speaking before a conferce on political reform last August in n Francisco, Nielsen said that an FBI dercover operation would "find a hell a lot" in the Capitol. Nielsen, referring lobbyists and others who buy votes th campaign contributions, was joined this assessment by Dan Stanford, airman of the Fair Political Practices ommission, the state's political watchg.

Well, nothing is new under the sun. To ove the point, we quote James Sullivan San Francisco, a delegate to the Calirnia Constitutional Convention of 1878. arning about the activities of lobbyists, said:

"They are notorious and known to all. retches who ought to be in state prison ver around the Legislature . . . seekg to influence votes for sinister purposes. Gentlemen who represent San Francisco have told me that they could not secure renomination because they had refused to vote on important measures at the dictation of . . . railroad lobbyists, and other corruptionists. It is a fact beyond question that the lobbyists have more influence in the halls of our Legislature than (do) honest members of either house."

Attorney General John Van De Kamp, doing a favor for a friend, has put a scare into the owner of a westside Los Angeles convalescent home. The friend's father is a patient at the home, and the friend has been complaining about the quality of the father's treatment. Although Van De Kamp does not know the father, he conspicuously visited him August 23rd, convincing the owner that the friend is a powerful person indeed. Van De Kamp says he's always been interested in convalescent homes and was making no official effort to intervene.

The people who ran State Controller Ken Cory's golf classic at Caesar's Tahoe a few weeks ago have yet to learn that many women don't like to be referred to as "ladies." Also, they seem to think that wives don't play golf. According to the invitation, a $1000 donation to Cory's campaign paid for a room at Caesar's, two cocktail parties, a dinner-dance — and a round of golf. But if a spouse came along, she was invited — for another $500 — to participate in "food functions for the ladies and ladies' cooking classes."

According to John Jervis of the controller's office, the invitation was sent out by Caesar's without a review by either Cory's office or Citizens for Cory, the group that sponsored the fund raiser.

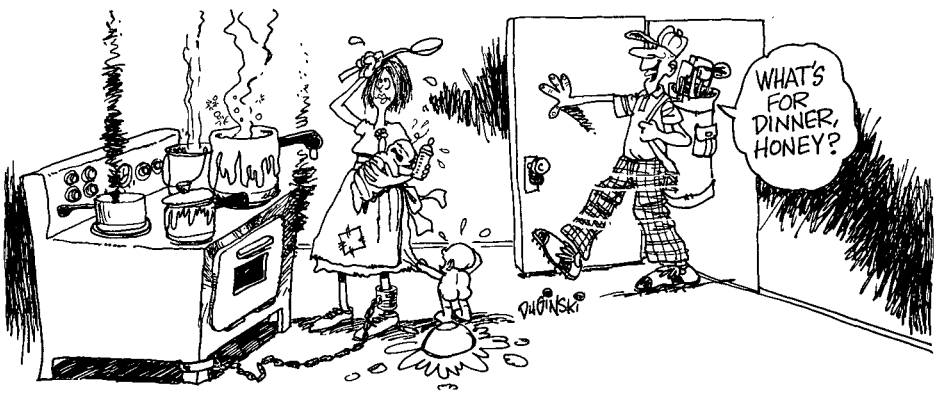
"The first and loudest protest came from Carol Cory," says Jervis of the controller's spouse.

Josiah Beeman, a well-traveled California politico, doesn't expect to be a very popular fella by the time the 1984 Democratic National Convention rolls around next July. The 47-year-old former campaign manager for Phil Burton has been named convention director and, as such, must find a way to crowbar some 20,000 delegates, alternates, news media, staffers and hangers-on into San Francisco's Moscone Convention center. Since he expects more than 30,000 Demos to seek admission, Beeman confesses that he spends a lot of time saying "no." Beeman, a labor union lobbyist before taking on his current job, doesn't know what he'll do for employment after the convention. After all, he doesn't expect to win many friends by turning down fellow Democrats who want convention tickets, hotel rooms or jobs for friends and relatives.

(Martin Salditch, Washington)

Democratic Assemblyman Norman Waters of Plymouth, up in Amador County, was overheard in a Capitol elevator recently asking the operator for directions to one of the legislative hearing rooms. He's been here only six years.

Dan Stanford, chairman of the Fair Political Practices Commission, speaking of the unseemly flood of campaign contributions into the Legislature, told a San Francisco gathering of political specialists, "The mother's milk of politics has gone sour."



Naughty, naughty. We understand that a member of the Assembly has called several lobbyists to ask for speaking engagements with honoraria. He says he can't make it on his legislative salary alone. A nasty person might say this smacks of extortion.

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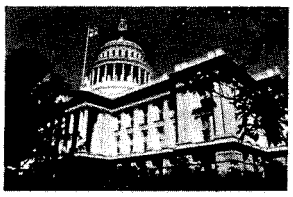

Capitol review

September 16, 1983

The Legislature's Democratic majority (and some Republicans, too) received a fine going away present from the State Supreme Court September 15th: a decision against the Sebastiani reapportionment initiative. The court said in effect that legislative and congressional boundaries could be redrawn only once per decade, that the Legislature had already done the job and that the December 13th special election called by Governor Deukmejian on the initiative was therefore not to be held.

The news reached the Capitol in mid-morning of what was to have been the last day of the first half of the 1983-1984 session, generating jubilant hugs and handshakes all around. Democrats, of course, were most pleased since it was their majorities in the Legislature and congressional delegation that were seriously endangered by the Sebastiani plan. But there were smiles as well from several Republicans whose seats were threatened by the proposed new boundaries.

Not surprisingly, the 6-1 decision caused some Republicans to talk of recalls against the court's liberal-leaning majority headed by Chief Justice Rose Bird. (The single dissent came from Associate Justice Frank Richardson, appointed by former Governor Reagan.) However, earlier recall efforts against Bird have not made it to the ballot, and there's no reason to think that the decision on reapportionment — a political insider's issue — would generate enough popular displeasure to cause a change. Nevertheless, Assembly GOP leader Bob Naylor says he's going to talk to the Republican Party about putting up some funds. And if the money is there, the public's hearts and minds may follow.

Hardly dead

Meanwhile, the reapportionment issue itself is hardly dead. Sonoma County Republican Don Sebastiani is already planning another proposal for the November 1984 ballot, one that would link another set of redistrictings with a constitutional change to overturn the court decision. Thus, the new lines could take effect.

Others, though, hope to build support for another idea: having an independent commission take over the reapportionment task. Democratic Assemblyman Gray Davis of Los Angeles, who used to be chief of staff to former Governor Jerry Brown, has been quietly pushing the idea for several weeks. Although voters rejected a proposed commission last November, and many persons remain skeptical, (State Treasurer Jess Unruh says there's no such thing as a fair reapportionment) Davis thinks he can win legislative approval for the commission concept. The legislative proposal then would appear on the November ballot, rivalling whatever Sebastiani may produce. According to Davis, many lawmakers are so tired of these "might makes right" reapportionment battles — which began in 1981 — that they would welcome an independent commission.

Davis' strongest ally may be Governor Deukmejian, who has never been enthusiastic about the Sebastiani plan, even though he called the special election. (Deukmejian contends that the Democrats made him do it by linking the election to passage of the state budget last July.) Having been through nearly nine months now of often angry disputes with Democrats in the Legislature, he appears to believe that continued wrangling can only reduce his own effectiveness. Thus, another angry fight over reapportionment would be the last thing he needs.

For the rest, as the session winds to a close, Deukmejian appears to have done well during his initial confrontation with the Democratic majority. More than anything else, he managed not to raise taxes in any dramatic manner, thus allowing him to say that he had honored his anti-tax campaign pledge. Had he bowed during the opening fight last January and February, Democrats no doubt would have called him a "statesman" and applauded loudly. However, the Democratic candidate for governor in 1986, whoever it may be, surely would have reminded voters that the governor was not a man of his word.

Local government

The final battle over taxes, involving aid to local government, ended September 15th when the Legislature approved the governor's plan to restore some $600 million in aid to cities, counties and special districts. Democrats in effect removed the money from local governments and proposed that the locals be given authority to raise the sales tax instead. But the governor refused to go along, saying that the result would be the kind of general tax increase that he had promised to avoid.

But money problems remained, primarily with overcrowded prisons and under-funded community colleges. Deukmejian and Democratic lawmakers seemed to have an agreement worked out whereby the administration would receive new authority to deal with overcrowding and the community colleges would get more money. But the deal fell through at the last moment when the Assembly refused to buy another Deukmejian condition: that community colleges begin levying a tuition fee.

But there was little disagreement about everyone's need for a pay increase. After some hesitation, Deukmejian signed a measure providing hefty increases for legislators and constitutional officers. Because of some earlier court decisions, the latest increases will bring exceedingly generous pension boosts to the already generous pensions of retired office holders. For instance, U.S. Senator Alan Cranston, who was state controller from 1958 to 1966, will get a raise of $12,000, bringing his state pension to about $40,000 a year. For most of those in office, the pay raises don't start until they are elected to their next terms.

Robert Fairbanks

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Women lobbyists: professionals for high-powered clients

By CHARLES M. PRICE and CATHERINE MELQUIST

Back in the 1960s, the few women who lobbied the California Legislature were mostly non-professional volunteers representing groups like the PTA and the Humane Society.

But today, just as there are more women in every profession, there are more women in what is known as "the third house" — lobbying. No longer merely volunteers on behalf of stray dogs and cats, these women are well-paid advocates for high-powered clients like Chevron, the Santa Fe Railroad and the California Association of Truckers.

For the most part, the nuts and bolts of lobbying are the same for both men and women. They must track bills, buttonhole legislators, consult with clients, testify before committees and develop support for a client's position. But while the work is the same, reasons for hiring men and women as legislative advocates are not.

Says one male who has hired females to lobby, "Good looks are a plus when hiring a female lobbyist, far more than for a man. Given the choice between a bright, energetic male with an MBA from Stanford, or a good-looking woman, I'd hire the woman."

Explains a male lobbyist, "Clients need two things from a lobbyist: access to members and enough of a legislator's time to get across the client's point of view." Companies and organizations therefore want to bring on advocates who can get both access and time, he adds, and an attractive woman can often accomplish both easier than a man. "Legislators are strongly turned on to their own sense of sexual charisma," he says.

Hedy Govenar, owner of the firm of Governmental Associates, concedes the importance of good looks when she points out that few unattractive women lobbyists are found among photographs displayed in the *Lobbyist and Employer Registration Directory* published each year by the secretary of state's office.

"There's an unfortunate truth in all this," says Leesa Speer, a lobbyist for the State Bar of California. "But legislative advocacy is basically a public relations job. Image is part of what you're selling, and it doesn't surprise me that the first wave of women lobbyists — the breakthrough group — is attractive and well-dressed."

"There is an advantage for all attractive people, male and female in any business," notes Cristina Rose, a principal in the firm of Winner/Wagner & Associates. "Nice looks can be an important commodity . . . (like) playing golf or going to school together." But she warns that one cannot trade on good looks forever. Competence soon wins out.

Problems

This is not to say that even the most attractive female member of the third house has no problems. Like any new kid on the block, a male or female lobbyist new to the Capitol is likely to be teased or kidded by some legislators.

Charles M. Price is a professor of political science at California State University, Chico, and Catherine Melquist is a senior in political science at the same university.

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Often that teasing has sexual or sexist overtones, but a woman must sometimes balance her feminist sensitivities against the need to be accepted as part of the club. The problem may also be exacerbated by a recognition that a teasing legislator's vote is essential to a client.

Mary Jane Sylvia, a lobbyist with Carpenter & Associates, takes these occasional remarks quietly and with a grain of salt. Even if the comment rankles, she prefers to keep her private opinions private. Says another woman lobbyist, "You just can't afford to get up on your feminist soapbox because some legislator makes a sexist remark."

But Speer, long active in women's rights issues and a ten-year veteran of Capitol lobbying, gives the problem a long-term perspective. "You have to maintain a sense of humor," she cautions. "This (politics) is a rougher world than most professional worlds. There's more of that teasing, and women sometimes have trouble with it. They haven't grown up in that male, 'good-ole-boy' network. When I first went to work as a lobbyist, I didn't smile around the Capitol for years. I thought, because I was a woman, I had to be serious to be taken seriously."

Still, smiling at the wrong time may send the wrong signal to a male legislator if for no other reason than the natural attractions and tensions between men and women.

Aleta Carpenter, a lobbyist married to lobbyist and former legislator Dennis Carpenter, points out that problems can develop "if a male legislator asks a single, female lobbyist to go out with him and she doesn't want to accept, but doesn't want to offend, either."

Several unmarried female lobbyists say they deal with this conflict up-front by expressing, when asked, a policy of not dating legislators. Others date warily, and at the risk of sparking gossip that their legislative successes are due, at least in part, to their personal relationships with male legislators.

Entertainment

Yet part of a lobbyist's job, be the advocate male or female, is to occasionally entertain a lawmaker at lunch or dinner, away from the constant interruptions of the office. But for a woman, asking a male legislator to lunch or dinner can be a little like treading through a social minefield.

Notes former lobbyist Prem Hunji, "It poses no dilemma for a male lobbyist to invite a male (or female) legislator to lunch or dinner to discuss business. But a woman inviting a male lawmaker to lunch may have to be careful to make sure he knows it's all business. And sometimes, re-remind him."

The problem is especially acute when asking a legislator to dinner, Hunji feels, as does lobbyist Meredith Michaels, who avoids any tension by bringing her boss along when dining with a male legislator. Hedy Govenar, however, doesn't think the dating issue is as much of a problem today as it was a few years ago. "It's not difficult to make it clear that the inivitation is for business," she says.

Kathy Lynch, an advocate for the California Association of Truckers, agrees. "If you give them (male legislators) clear signals that this is strictly business, you'll get clear signals back." Lynch explains that "clear signals" include how a woman lobbyist dresses, how she handles herself and how she represents the issues. "I've never had a problem."

Lynch is also one of the few women lobbyists who have no qualms about going alone into one of the local capital bars after work in order to meet and confer with legislators and colleagues. Some female lobbyists complain that the local circuit (Torch Club-Frank Fat's-David's) provides an unfair advantage for men because a woman alone in these bars may find her intentions open to what one female advocate called "misinterpretation." Not going means a lobbyist may be cut off from a valuable network of information. To avoid that "misinterpretation," some women go with groups of women lobbyists.

But Leesa Speer discounts the problem altogether. "It's actually a compliment to the men that we work with in the Legislature that sex isn't what we talk about when we get together. Our arena is very professional."

A women's network

In one part of that legislative arena, women lobbyists seem to have a distinct advantage over men: dealings with the handful of women who serve in the Legislature. A new, informal luncheon group, composed solely of women lobbyists and legislators, has recently been formed to help create a network between members of the Legislature and the growing numbers in the third house. Also, according to some women advocates, women legislators seem more ready to extend favors and courtesies to new women lobbyists than to new men lobbyists.

Whatever the relative advantages or disadvantages, women lobbyists are now part of the Capitol scene. Over a quarter of Sacramento's lobbying firms employ women associates — 136 women in all, or nearly 20 percent of all lobbyists. By contrast, there are but 12 black and 10 Hispanic lobbyists currently active around the Capitol.

Although the problems encountered by women advocates are disappearing, the California Legislature is still basically a male-dominated club. Women members of the third house have come a long way, but they've still a way to go. Perhaps, when the first woman lobbyist cracks the membership roster at Sacramento's Sutter Club, now an all-male bastion two blocks from the Capitol, women will be able to claim at least a symbolic equality.

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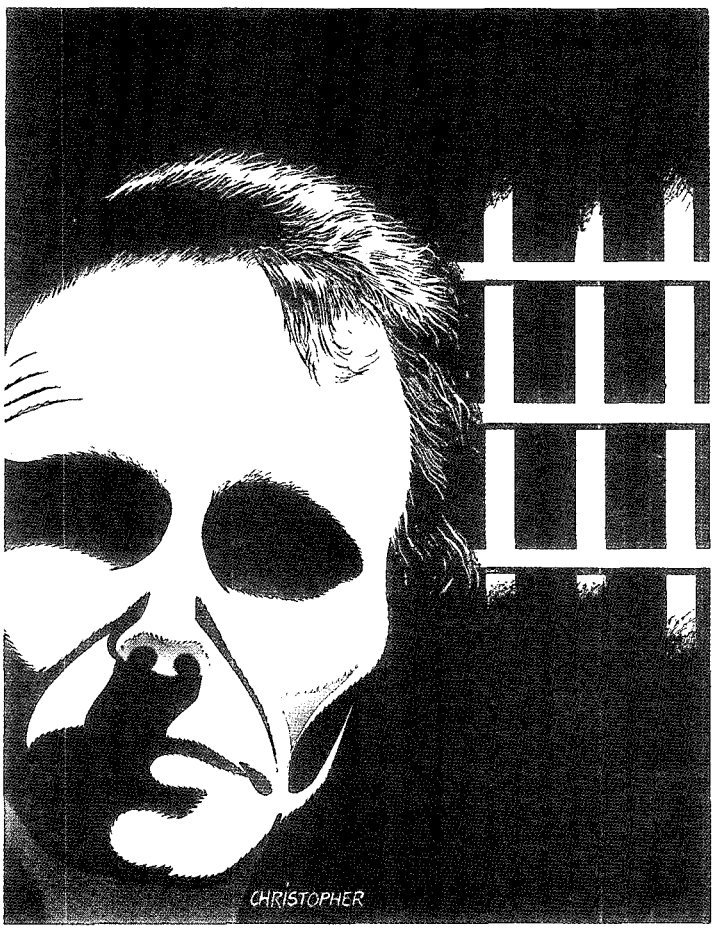
The NIC Model: a new tool for rating criminals

By MICHAEL SCHUMACHER

Imagine for a moment that you're sitting in a small conference room at the county jail when the prisoner comes walking in. He's a white man, 29 years old, and he's just been convicted of breaking into a tire store and stealing a fine set of radials worth about $800. He's got two priors: At age 22 he stole a car and got 90 days, and at age 27 they caught him fooling with the lock on a parked car, obviously trying to get in. Convicted for auto tampering, he got off with a $200 fine. Now he's back, and the judge wants a report from the probation department to help decide what to do. Should our man be sent to state prison for a couple of years, or should he be put on probation? And if he gets probation, should that include some time in the county jail?



I won't say this case is average, but it's surely typical of thousands that I've seen during my years as a probation officer. And the process I'm about to describe for dealing with this man points to a lot that's wrong with what we do. But it's more than wrong; it's costly to the taxpayer and harmful to public safety as well.

As you might imagine, I wouldn't be writing this unless I had some improvements in mind, and later I will lay them out. Let me say for now that they could improve public safety while reducing the need for new prisons. But for the moment, let's talk about the traditional process and what I and many other county probation chiefs believe to be a big problem.

Essentially, the current process lacks a standard. Generally speaking, probation officers in California's 58 counties and parole officers in the state prison system make recommendations and devise rehabilitation programs for probationers and parolees according to the training, experience and intuition of the particular officer who is handling a particular case. As a result, we get considerable variation.

In the case of our tire shop burglar, for instance, all probation officers would take the same preliminary steps: interview the prisoner, his family, his associates, the arresting officer and the crime victim. Also, we all would consult the same arrest reports and other records. But when it comes to making specific recommendations, we will go our own ways.

For instance, if I learned from the tire shop owner that our man smashed a few windows that didn't have to be smashed or dumped a barrel of oil on the floor for no apparent reason, I would tend to see this as a high-risk case. In other words, he would be likely to commit more crimes if released any time soon. To me, people who destroy wantonly during a crime are more likely to repeat than those who take the money (or tires) and run.

But I have colleagues who might see things differently. Not that they disagree with my assessment, but they may be especially concerned by the link between alcohol and crime and therefore, tend to weight their opinions accordingly. Since our man drinks often but not as heavily as some others they've seen, they might be a bit more optimistic about him and rate him as a slightly lesser risk. I also have colleagues who see enormous risk to society from criminals involved with sexual crimes. Since there was no sex in this case, they might see even less risk in our man.

And so it goes, each of us coming to each case with a private system of evaluation. Thus, when asked about the likelihood of this man committing another crime, we could respond with a variety of opinions, ranging from high risk to low. And at this moment, I defy anyone to say which of us is right and which is wrong.

But there is more. Suppose that I decide to recommend probation for a fairly lengthy period, three years, and with an initial jolt of six months in the county jail. A half year behind bars, I think, should be enough to get this man's attention. But what then? When he is released, we must

Michael Schumacher, Ph.D., is chief probation officer of Orange County.

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be prepared to work with him. The judge will want to know what kind of program we have in mind. Indeed, we must know ourselves, if only for the sake of budgeting and rational operation.

So I look at our man and I see the familiar product of a chaotic childhood: broken home, mother involved with drugs and alcohol, children often left to fend for themselves. As a child, he never thought much of himself and nothing has happened to change his mind. To me, this man will require lots of auxiliary services; we'll have to play social worker to put him on a different track. We'll want to require that he seeks vocational testing, job training and housing assistance. We'll want him to get involved in some kind of drug and alcohol prevention program.

But I have colleagues who will look at this tire man and see a basically impulsive person who rarely thinks of consequences. All of his crimes, they will note, had an unplanned, spur-of-the-moment element to them. To these colleagues, the tire man must be convinced that irresponsible action brings swift punishment. So they'll be more interested in keeping a sharp eye on him to spot even the most minor violation of probation rules, like driving out of town without telling his probation officer. Immediately, they will yank him off the street, bring him to the judge and see to it that he spends a few days in jail for his transgression.

Other colleagues might look first at the man's family, seeing a supportive wife and a child to whom he seems attached. Since stable family relationships tend to support the rehabilitation process, these colleagues might say that minimal surveillance is all that's necessary after he finishes his six months in jail.

Thus, we come up with three recommendations, each different and each requiring a different amount of a probation officer's time. And believe me, if we wished, we could come up with at least three more. But the point is made. As was the case when we were assessing risk, we base our recommendations on private judgments, and it's impossible to say who's right and wrong. Over time, of course, some of us may prove to be right more often than others, but no one has ranked us yet to see who the brilliant ones are. Overall, as an agency of government, we have thousands of policies, one for each criminal, and all are established largely by individual probation or parole officers, each with his or her own experience, training and intuition.

And that, I believe, is where we go wrong. While thousands of policies, one for each prisoner, is good, we should stop creating those policies by individual standards. We should combine our resources. We need to agree on what is and what is not important in the evaluation of criminals and make our recommendations accordingly. Individual officers may differ with the judgment of the group, but the group judgment will be invaluable to them as a guide. Inevitably, our evaluations will become much more accurate, improving the criminal justice system and bringing major benefits to the public as a whole.

But how do we combine our resources? In a sense, we must agree among ourselves on those elements in each criminal's background that have been most influential over his later conduct. Obviously, we can't have a convention, but we can choose among the many criminal classification instruments that have been developed and offered over the years. Each of these, in effect, examines criminal background and makes judgments accordingly.

NIC Model

In my opinion, there is only one such instrument sophisticated enough for adoption by all. Called the "National Institute of Corrections Model Probation System," or the "NIC Model," it was developed by the Wisconsin Department of Corrections, has been endorsed by the National Institute of Corrections and is already in use by about 70 correctional agencies across the nation.

To develop NIC, the corrections people in Wisconsin spent four years (1975 to 1979) comparing criminal records with background elements to see which of the latter has been proved by experience to most influence development of criminal conduct. The result is a long questionnaire about each prisoner to be filled out by a probation or parole officer. The officer works from the prisoner's record and from evaluations he or she makes during an interview with the prisoner. Each answer gets a point value, and the total points becomes the prisoner's classification. The officer may disagree with what the NIC Model says, but it's a useful guide.

Actually, there are three evaluations, with separate questions and point totals for each. The first, called "risk," attempts to measure whether the prisoner has a high, medium or low potential for committing another crime. The second, "need," attempts to measure whether the prisoner will need a high, medium or low amount of probation officer

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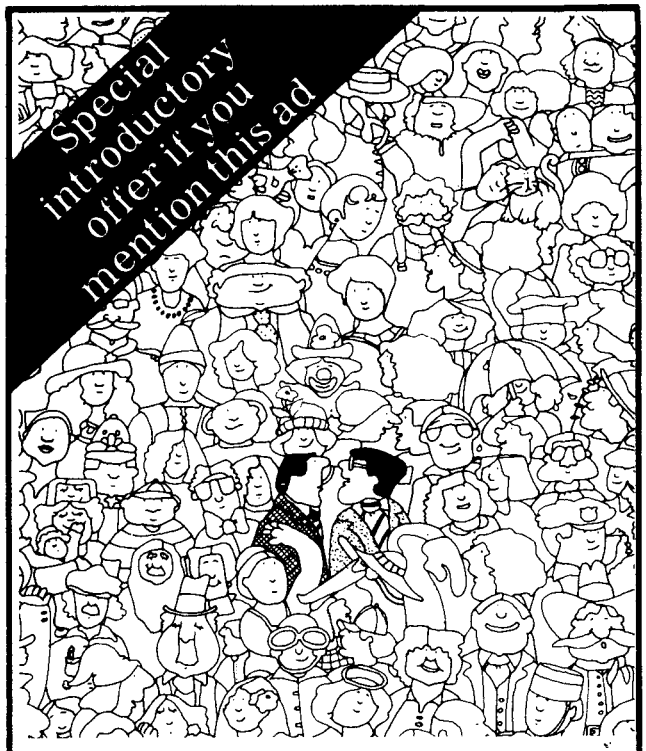

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time and effort for a possible rehabilitation. The third is called "case management," and it attempts to select the type of rehabilitation program best suited to the case.

For example, under the heading of "risk," there are 10 separate questions and a maximum score of 37 points. In Wisconsin, a "high risk" scores more than 25. Many of the questions are obvious, such as those dealing with the prisoner's prior criminal record. The NIC Model gives two points for one prior felony conviction and four points for two or more. The age at first conviction is also important: four points if the person was 19 or younger.

Other questions do not have obvious answers. For instance, the NIC Model wants to know how many times the prisoner changed address during the previous twelve months. If he's moved twice or more, he gets three points. If he's moved once, he gets two. Also, if he's worked less than five months in the previous year, he gets two points.

Some questions require the probation officer to make a judgment. For instance, in the category aimed at selecting a proper treatment program for the prisoner, the NIC Model requires informaton about whether the prisoner's first crime was triggered by the simple desire for gain, by an emotional outburst of some sort or by a combination of them. To answer, the officer must question the prisoner closely and judge the response.

The significance of all this is that we now have an exceptionally powerful tool for prisoner classification. In Wisconsin, only three percent of those ranked as low risks later did something that caused their paroles to be revoked. Among those identified as moderate risks, 10 percent caused revocation. In the next grouping, moderately high risk, the revocation figure was 22.2 percent. In the high risk group, the revocation rate was 37.1 percent.

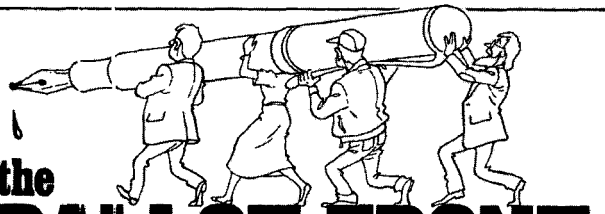
So all right, you say, the NIC Model is the best thing that's happened for the parole and probation bureaucracy since the invention of swivel chairs. But what can it do for the public as a whole? Most importantly, I believe, it can improve public safety. Because of our improved ability to classify prisoners, we can more accurately identify and lock up those most likely to commit more crimes.

Moreover, we can work more effectively with those of lesser risk who remain. Because of the NIC Model, we can abolish the current method of assigning cases to probation officers more or less at random and with an equal number to each. (Here in Orange County, where we have about 10,000 adult probationers, each officer is handling about 90 to 100 cases at any given time.) Using the NIC Model, we can group our probationers according to the degree of supervision and types of programs that they need, then assign staff accordingly. Thus, we can spend less time with those who present relatively little risk to the public and more time with those more likely to commit a crime. As a result, we should do a better job with the higher risk cases, improving the public safety in that way as well.

Secondly, the NIC Model can help reduce taxpayer costs by helping solve one of the major problems facing state government today — overcrowded prisons. Rather than build all the new state prisons that seem needed now, we can use the NIC Model to select many more criminals for safe holding at the local level. With judicial cooperation, they would be handled through various combinations of jail time, surveillance and casework.

At the moment, California's 58 counties lack ability to handle any great number of potential state prisoners. Only about 25 counties have adopted the NIC Model and are in various stages of implementation. Here in Orange, we adopted it about a year ago and are currently administering the NIC questionnaire to our 10,000 adult probationers. We are not yet ready to use it for making recommendations to the courts. However, NIC use is spreading, and county capacity will grow accordingly.

Speaking now as a representative for the Chief Probation Officers of California (CPOC), let me say that we fully believe in the accuracy and effectiveness of the NIC Model and believe that it will allow us to work safely with more offenders than ever before. And if it should produce a little more prestige and job security for those of us in the parole and probation business, who's to say that's wrong?



the BALLOT FRONT

A roundup of statewide initiative proposals. (Signatures required and deadlines are in parentheses.)

New in circulation:

- **CRIMINAL COURT REFORM** — an initiative constitutional amendment, sonsored by former Attorney General Evelle Younger designed to speed the judicial process by, among other things, speeding jury selection, granting fewer continuances and allowing ten jurors to convict in criminal cases not involving the death penalty. (630,136, February 17, 1984)

Continuing in circulation:

- **LEGISLATIVE RULES, PROCEDURES, POWERS AND FUNDING** -- an initiative statute sponsored by Paul Gann. (393,835, October 7th)
- **MARIJUANA-HEMP** — an initiative statute (the 13th) to legalize personal use of marijuana for persons 18 or older. (393,835. October 14th)
- **UTILITY RATES** — a constitutional amendment that requires increased lifeline allowances and redesigning of rate structures. (630,136, October 17th)
- **SPACE STATION** — an initiative statute. (393,835, October 17th)
- **MAXIMUM SALARIES FOR STATE OFFICIALS** — a constitutional amendment to limit salaries paid to elected officials and justices of the state Supreme Court. (630,136, November 21st)
- **WELFARE** — an initiative statute that requires welfare recipients to work as a condition of relief. (393,835, December 19th)
- **GAMBLING AND LOTTERIES** — an initiative constitutional amendment that would authorize lotteries and legalized gambling in selective locales, plus create a Public Gaming Control Commission. (630,136, December 19th)
- **NUCLEAR WEAPONS** — an initiative statute that requires the governor to write the president to urge United Nations control over all nuclear weapons. (393,835, December 19th)
- **ELECTION CAMPAIGNS** — an initiative statute that attempts to clean up political campaigns. (393,835, December 19th)
- **FIRE SAFETY** — an initiative statute that requires the State Fire Marshal to establish fire safety standards for cigarettes and small cigars. (393,835, December 23rd)
- **SOUTH AFRICA** — an initiative statute that forces all California state, county and municipal agencies to divest themselves of investments in South Africa. (393,835, December 29th)
- **TAXATION** — a constitutional amendment, sponsored by Howard Jarvis, that amends propositioin 13 to close loopholes Jarvis claims have been opened by the courts. (630,136, January 2, 1984)

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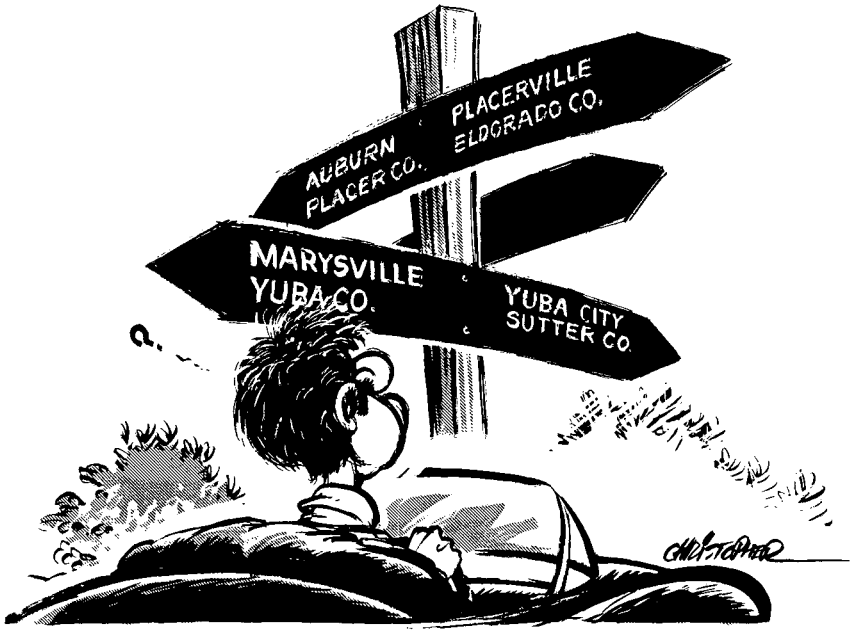
California: a state of illusion



By LEO McELROY

When I first moved to Northern California, my ignorance was — if not abysmal — certainly blissful. Alas, the innocence wasn't long in departing. Cynicism began to creep in the day I learned, to my dismay, that Placerville wasn't in Placer County.

I don't know why, but somehow that seemed to be a breach of faith, if not of logic. If Placerville wasn't in Placer County, why not? With a name like that, it should be the very heart and soul of Placer County. (Carrying on this way can get you some pretty funny looks from people who accept that things are the way they are because that's the way they are.)

But life goes on. One hardens to the vicissitudes. I grew to accept that West Sacramento wasn't in Sacramento County, that South San Francisco wasn't in San Francisco County, and that Monterey Park wasn't in Monterey County. It's all part of growing up — right?

Wrong.

It all started to come apart for me the day I was checking a directory and suddenly tumbled to the awful truth: Yuba City, for heaven's sake, isn't even in Yuba County! I mean, you have to believe in something, don't you?

After that, it became an obsession. Awful truth followed awful truth. Revelations of geographic infidelity came tumbling one over the other. The town of Mount Shasta isn't in Shasta County . . .Alpine isn't in Alpine County . . . Butte City isn't in Butte County . . . and if Glenville isn't in Glenn County, well, neither are Glenview, Glenn Ranch, Glenhaven, Glen Ellen, Glencoe, Glenburn, Glen Brook, Glen Blair or Glen Avon. Understand, they're all in California, but that hardly seems a sufficient relationship to justify sharing the same name.

You see the pattern of madness emerging, I'm sure. First, discover that King isn't in Kings County, then that Imperial Beach isn't in Imperial County, or Sierra Village in Sierra County — and the obsession is rooted more firmly than oak tree or crabgrass ever dreamed of.

You think Sutter Creek is in Sutter County? Poor idealistic dreamer. It's not, and neither is Sutter Hill. Orange Cove and Orangevale have one thing in common: their total absence from Orange County. Hope may spring eternal, but Mono Hot Springs springs not in Mono County.

Now it becomes clear to my frazzled mind that all is contradiction: naturally Riverbank, Riverdale and Riverton aren't in Riverside County, and who would ever expect that the borders of Lake County would provide a home for Lake City, Lakeside, Lakeville, Lakeshore, Lakehead, Lakewood, or even Woodlake?

True, there are exceptions to the emerging pattern of chaos (if chaos can be said to have a pattern, and in California, who could deny it for a moment?). Inyokern, for example. It isn't in Inyo County — but it is in Kern County! Oh well, nobody said life comes with a money-back guarantee.

I say, look on the bright side and make do. When I found that Tuolumne Meadows was actually in Tuolumne County, did I let it ruin my day? Did my faith disintegrate in the presence of this germ of logic? No way.

I simply went back to the map and found solace. Well, not really solace — I was looking for it, but instead I found Solana. Solana Beach, as a matter of fact. And you know what? It isn't in Solano County.

It's amazing how little it takes to put one's mind at rest in an unsure world. Now if I could only get California City moved across the border to Nevada . . .

Leo McElroy, a former broadcast news reporter, is press aide to Lieutenant Governor Leo McCarthy.

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The UFW helps Cesar's son build a political base

By RICK RODRIGUEZ

There's a new face in California politics: Fernando Chavez, 33-year-old son of farm labor leader Cesar Chavez. The younger Chavez arrived on the scene last July by getting himself elected president of the Mexican-American Political Association (MAPA), the state's only non-partisan Hispanic organization that endorses political candidates. As president, Fernando automatically becomes a central figure in the growing struggle between Democrats and Republicans for shares of the state's big Hispanic vote. Although a majority of Hispanics traditionally votes Democratic, Republicans have been encouraged by Hispanic support for Governor George Deukmejian and are working to increase their share.

But in addition to his power-broker role, Fernando aspires to elective office himself. A successful attorney in San Jose, he is most interested in seeking a legislative seat from the area.

Surprisingly, the elder Chavez is not cheering from the sidelines. "I've always said I never liked politics or politicians," he explains. Although his United Farm Workers gave $700,000 to state Democrats last year, Chavez indicates that the act was a "matter of survival." "If he (Fernando) goes into politics, I'll wish him luck. If he doesn't, I'll be a happy man," Chavez says.

Fernando learned early what it means to be Cesar's son. As a student at Delano High School in Kern County, he frequently defended his pacifist father's honor with his fists while the neophyte union leader organized workers in near-by vineyards. After high school, where he was an average student, Chavez shied away from the limelight. He worked on the assembly line at General Motors' Fremont plant, then studied at the University of California at Los Angeles before finally winning a degree from liberal Antioch College in Ohio.

Sandwiched between Fremont and Antioch was another challenge — this time to his emerging anti-violence convictions. Despite his earlier experiences as a brawler, Fernando became a conscientious objector after understanding his father's Gandhian brand of non-violent resistance. In 1971, he was prosecuted for refusing military induction, but a federal judge dismissed the case, citing a United States Supreme Court ruling that a person can be classified a conscientious objector for other than religious beliefs.

Prosecution by the federal government for his beliefs influenced Chavez's decision to enroll in law school at the University of Santa Clara. "There's no question in my mind whatsoever that I was prosecuted because I was my father's son. It was really a selective discriminatory practice," says the reserved, bespectacled Chavez.

Thus, familiar with the problems of being Cesar's son, Fernando was well prepared for the controversy that arose when he announced for the presidency of the 2200-member MAPA. Although a member since 1979, he had never been active in the organization, prompting some disgruntled members to accuse him of leading a UFW takeover attempt to ensure that Democrats would receive MAPA's symbolically important endorsements for the elections of 1984.

Chavez denies the allegations, although top UFW officials clearly played a role in his election by signing up hundreds of new MAPA members and even paying some of their dues. Among the recruits — 95-year-old Juana Chavez who sat patiently through a marathon convention to vote for her grandson.

Of his election Chavez says, "I suspect people liked my ideas. They wanted a new direction for the organization which had drawn some media attention but had been stagnating."

In assuming the leadership of MAPA, Chavez defeated Julio Calderon of Sacramento, a state information officer, a former television newsman — and a Republican. During his two years in office, Calderon heavily recruited fellow Republicans to, as he says, "break MAPA's image as a Democratic rubber stamp." Yet even under Calderon's leadership, MAPA continued to endorse Democrats in major political races, including 1982 gubernatorial candidate Tom

Rick Rodriguez is a Capitol correspondent for the Sacramento Bee.

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Bradley. Bradley won that endorsement despite a "viva Duke" movement within MAPA, a movement created by Calderon recruits.

In discounting the influence of the UFW, the younger Chavez insists that, while he shares many of his father's liberal Democratic beliefs, he — not his father and not his father's union — will control MAPA.

"I'm his son; he's my father. We'll always be linked together, but I'm my own person," Fernando says.

Those that know him agree.

"No one denied the union was supporting him," says Marc Grossman, Cesar Chavez's former assistant and now an aide to Democratic Assemblyman Richard Alatorre of Los Angeles. "But, the charge that he was a puppet, an agent of his father . . . Anyone who knows Fernando knows he's his own man."

Grossman describes the father-son relationship as close, although once, it was cool. Both men, he says, are stubborn.

"Fernando's mannerisms, his speech patterns and his temperament are very much like his father's. He can be a very determined individual," says Grossman, an old college friend. But Grossman adds that he's never heard Fernando trade on his father's identity.

As evidence of this independent frame of mind, Fernando Chavez has, several times, broken family tradition. The eldest of eight children, he is, for example, the only one not still working for the union. He hasn't been on the UFW payroll for 13 years although he acknowledges handling up to 15 cases referred to him by the union. Also, in 1980, he worked as national Hispanic coordinator for Senator Edward Kennedy's presidential bid while his father supported former California Governor Jerry Brown.

Finally, in contrast to his father's renowned spartan lifestyle, the slender, stylish Fernando wears tassled loafers and finely tailored suits. A divorced father of three boys, he's an avid golfer and — most image-shattering of all — drives a late model Mercedes Benz.

"People have been a little critical of me because of that," he says. "If I was another Chicano lawyer driving a Mercedes, people would say, 'There's a Chicano who is successful.' But I'm Cesar's son."

Chavez didn't come by his success overnight, and simply because he was "Cesar's son." After graduating from law school in 1978, he and a friend set up private practice in San Jose, but it flopped. He worked on the Kennedy campaign for a year, then hooked up with an attorney who could help him hone his courtroom skills, especially in his specialty of personal injury law — flamboyant San Francisco attorney Melvin Belli.

Chavez is now a partner in the firm of Gould, Sayre and Chavez, which employs 10 lawyers in Los Angeles and San Jose. He is also still connected with Belli.

The business, which he acknowledges has been helped by the fact he is Cesar's son, has put him on the road to financial security. That security is something he would like to have before taking on another challenge — elective office.

Of his wealth, Chavez says, "I'm not wealthy. That's a stretch of the imagination, but I do handle significant cases. I would say that, probably in three years, if you asked me that question, I might have a different answer." He adds, quickly, "I don't think my values have changed — or my politics."

Now, he must work within MAPA to heal the divisiveness caused by his election. He hopes to expand MAPA's membership and hire a paid staff that can effectively lobby on issues affecting Hispanics. The publicity surrounding his race with Calderon has already helped, he says. "It took MAPA to heights we've never had. I've had calls from people who want to start 15 to 20 new chapters."

But the defeated Calderon isn't sure MAPA will continue to grow as it did under his leadership. "The trouble is I don't know Fernando," says Calderon. "He's never been active in MAPA before, and his leadership is untried. Only time will tell if his election will be good for MAPA, or good for Fernando. Everyone knows he has political aspirations for the Assembly."

"I have an interest (in running)," concedes Chavez. "The Legislature is one of the few forums where you can have a sweeping effect on Hispanic causes and the community at large. I think it's high time we have an elected Chicano from Northern California."

Chavez has his eyes on the 23rd Assembly District, with its 32 percent Hispanic voter registration. But the 23rd is home turf for a powerful and popular Democrat — Assemblyman John Vasconcellos, chairman of the Assembly Ways and Means Committee, who has thus far expressed no intention to move over in favor of Fernando Chavez, or anyone else. Chavez says he would be interested in running only if Vasconcellos seeks higher office or retires — a polite way of saying he would not challenge Vasconcellos but would wait for the right time to run.

"So much has to do with being at the right place at the right time," Chavez explains. "If it's not this time around, maybe the next time."

Ricardo Nieto, senior consultant to the Assembly Elections and Reapportionment Committee, says a "totally safe Hispanic seat" would be created in San Jose under the Sebastiani initiative. But Chavez is opposed to the measure nonetheless. The initiative, he feels, dilutes Hispanic influence by concentrating Hispanic votes in a handful of districts. "Even if it looked beneficial for me, I just couldn't sell out Chicanos for my own self-interest," he says.

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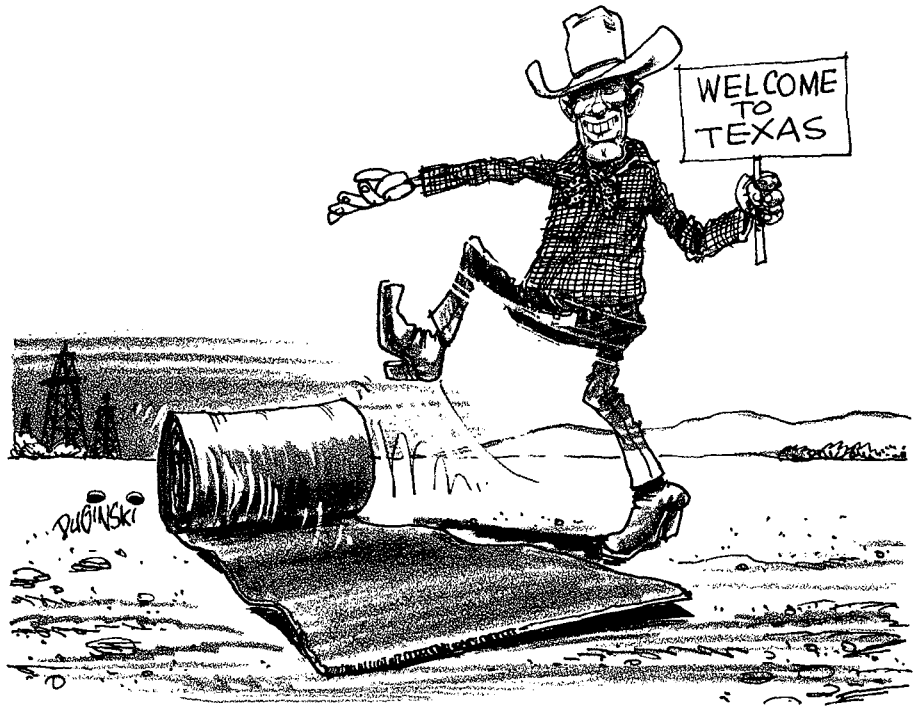
California out-hustled, out-bid; research center locates in Texas



By LEO McCARTHY

Editor's note: Early last March, Lieutenant Governor Leo McCarthy got a call from Kirk West, secretary of the state's Business, Transportation and Housing Agency. West asked McCarthy to represent Governor Deukmejian at an important March 3rd meeting in San Francisco. There, a California group was to try to sell this state as the home for a new high-tech research center financed by 12 major corporations. Although the center initially would employ fewer than 500 persons, its presence would draw related businesses and facilities, creating a whole new area of prestigious development. The research venture, called Microelectronics & Computer Technology Corporation (MCC), was headed by Bobby Ray Inman, a retired admiral and former deputy director of the CIA. McCarthy went to the San Francisco meeting and stayed with the sales effort through a final meeting in San Diego last May. The effort failed, and McCarthy says he knows why.

Leo McCarthy, former speaker of the state Assembly, is lieutenant governor of California.

For a while it looked very hopeful. The giant high-tech consortium called MCC had narrowed possible locations for its 80 million-dollar-a-year research and development center down to 17 sites nationwide, four of them here in California.

After the next round of winnowing, only four contenders remained: San Diego, Austin, Atlanta, and the North Carolina Research Triangle. Everyone knew that the Texans wanted MCC badly enough to offer them the moon. Still, California was the promised land, with its marvelous universities, its many existing high-tech firms and, of course, a fantastic climate.

The MCC site-selection team made its final visit to San Diego in weather that must have been custom-designed by the local Chamber of Commerce. Sitting at dinner with MCC's Admiral Bobby Inman, surrounded by local dignitaries, former University of California President David Saxon, a number of faculty leaders and such administration figures as Business and Transportation Secretary Kirk West, I really felt that Inman and his teammates liked California.

At the UC San Diego campus the next day, Governor Deukmejian offered his personal greeting to MCC officials who then settled down to get detailed information from a panel of experts. That was May 9th. Eight days later, Admiral Inman returned to California to announce the decision — MCC had chosen Austin, Texas.

Even as the effort began to find out how and why we had lost, I was struck by the reaction from the rest of the state. To businessmen and politicians in the Bay Area or Los Angeles or the Sacramento region, this was a San Diego loss — not a California loss. That reaction bothered me a little then; it bothers me a great deal now. I'll explain why in a moment.

But on May 17th, and through succeeding days, we were concentrating on the effort to find some tangible reason why California had been passed over by MCC. I talked with Admiral Inman about the decision, and found that my

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feeling at dinner with him had not been mistaken. He did like California. However, that was not enough in light of the factors which swayed his team to vote to go elsewhere.

Waning strength

The first item, which I was told had more weight than anything else, was once seen as California's strength: our quality of life. Specifically, MCC principals were concerned with the very high cost of housing in and around San Diego, and the perception they had that Californians expected them to be willing to pay more for the privilege of living here. Even if they were to propose whopping salary increases for middle management and promising young people, I was told, they couldn't get them to come to California if they would be paying twice as much for housing and incurring long-term indebtedness because of that housing.

Further, companies headquartered in places like Boston or Minnesota wanted their research and development people eventually to return to the main office. Two MCC corporations were afraid that employees carrying large mortgages here, and in love with California living, might never return to the home base.

Following the revelation that perhaps our strength had become a weakness, Admiral Inman added two more drawbacks to the San Diego bid: monetary assistance and education funding.

Let me deal first with education funding. According to Inman, California's commitment to supporting and improving its educational system was cited as a problem by at least half the MCC decision makers. They noted the low per-pupil financial support for kindergarten through twelfth grade programs, which they see as directly linked to the production of a qualified labor pool in this state. They also pointed to California's reduced funding for higher education, where faculty salaries are lagging behind those in other parts of the country.

Concerning monetary assistance, the Texans offered MCC a package that included a two-year use of a Lear jet provided by the business community, a guarantee of $20 million in home loans at well below the market rate, relocation expense and assistance, land lease at a nominal rental, state university cooperation in constructing an office and laboratory building, and much more, all personally put together and presented by Texas Governor Mark White. In a remarkable display of salesmanship, White traveled to Chicago to meet with MCC site-selection officials, later walked them across the University of Texas and Texas A & M campuses, met them at airplanes and wined and dined them at his governor's mansion (a point where California was clearly at a disadvantage).

No contest

Our offerings simply were not in that league. From the private sector, several lending institutions in San Diego said they could produce several million in home loans for incoming MCC employees at one or two points below the market rate. By comparison, the Texas offer of $20 million was at three or four points below the market rate. From the public sector, we offered space for the MCC facility on the UC campus in San Diego. The Texans, of course, had offered them not only the land but the buildings as well. On other items, like the Lear jet, we just weren't there at all.

A final reason cited by Admiral Inman for the MCC's choice of Austin: Texas was "spectacularly organized" in its effort to win the competition. Its public and private sector worked as a team — the bi-partisan, statewide political leadership and the business leadership, from all ideological hues,

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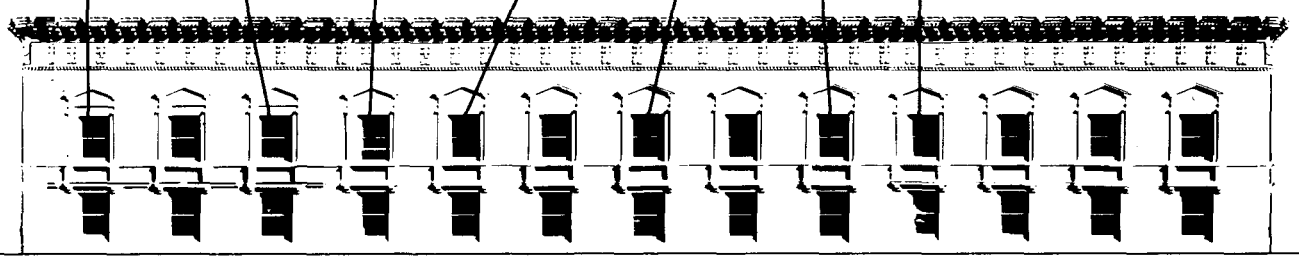

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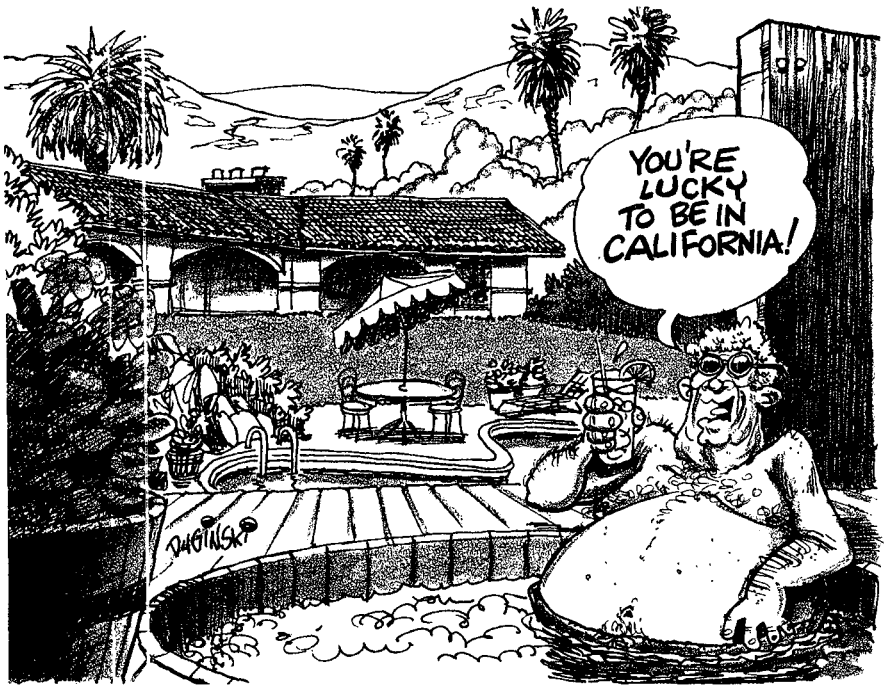

understood what a victory meant to them.

Maybe, on the scale of things, getting MCC meant a lot more to Texas, because they're not nearly where California is in high technology. Maybe they needed to win this competition to get off the ground. Their political and business leaders know that their oil and gas industry has a limited future; they intend to see that high-tech provides an eventual replacement.

Texas had already made a major multi-million-dollar investment in its educational systems to shift heavily into electrical engineering and computer sciences, to do things they needed to do to attract high-technology. They were out to be Number One in America, and beyond, and they backed that ambition with an outpouring of money and effort that we could not or would not match.

In Texas, it wasn't just Governor White and the people of Austin fighting for MCC. The Mayor of San Antonio, Henry Cisneros, was right there, giving his own time and that of his staff. United States senators Lloyd Bentsen and John Tower both sent messages supporting the selection of Austin. Businessman Ross Perot of Dallas provided his private jet to move key people around the state, while many others from the business communities of Dallas, Houston, and other Texas cities joined the effort.

A local battle

The contrast is compelling.

In California, it was viewed as San Diego's battle and San Diego's loss. Others cities shrugged and went on with their own concerns. We never mobilized as a state, and many of us still don't realize that, as a state, we lost. Our other drawbacks aside, we lost because we didn't make the effort. We didn't have the hustle, the salesmanship, the organization. I believe that with the effort, we still could have won.

I don't mean to take anything away from the dedicated work done by the San Diego Economic Development Corporation, its chairman, Ray Peirce, and its president, Dan Pegg. They marshalled their resources as best they could, and the fault was not theirs. Rather, it attaches itself to the inbred attitude of too many leaders in California — an attitude that one MCC official saw as saying, "You'd be lucky to be privileged to do business here."

MCC is not the last test of this sort. That's fortunate, because we will have other chances to redeem ourselves. However, if we don't try harder, we will probably lose again, and in the wake of MCC, there is no sign we are any more ready to compete effectively as a state.

I see California as like so many who have grown fat and affluent; we have gotten lazy and lost our competitive edge. What we need to do is recall the years when we were a lot leaner and hungrier. Then we might be prepared to face the kind of competition we'll have to enter to survive.

The prosperity of the 1950s, 1960s and 1970s occurred because we fought for it, because this state had extraordinary and diverse resources and because the people who came here were risk-takers with a sense of adventure and drive. This was still "Go west, young man!" territory, and everyone wanted to come to California. We had the entertainment world, we had a tremendous construction industry — and we had it all going for us.

Now we're in a new ball game — one that's even tougher. And we have a new attitude — one that's not nearly so tough. The question is whether California has the collective will to change. It certainly won't be easy — partly because we've grown affluent and lazy and partly because we're divided geographically and psychologically.

We have 25 million people spread over the 1100 miles of California's length — and who in San Bernardino is worried about problems in Redding? Who in San Jose realizes that massive unemployment in the Imperial Valley hurts us all? Why didn't Los Angeles and San Francisco and Sacramento feel shock waves when San Diego's loss of MCC made losers of everyone in California?

Knowing why we lost is one thing. Learning from it is another. If we can learn to really compete again, as a state, working together to solve our problems and meet our challenges, then the lessons gained from losing MCC will have made it worthwhile.

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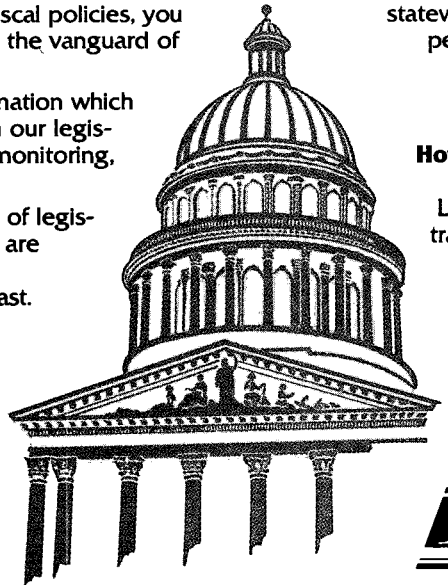

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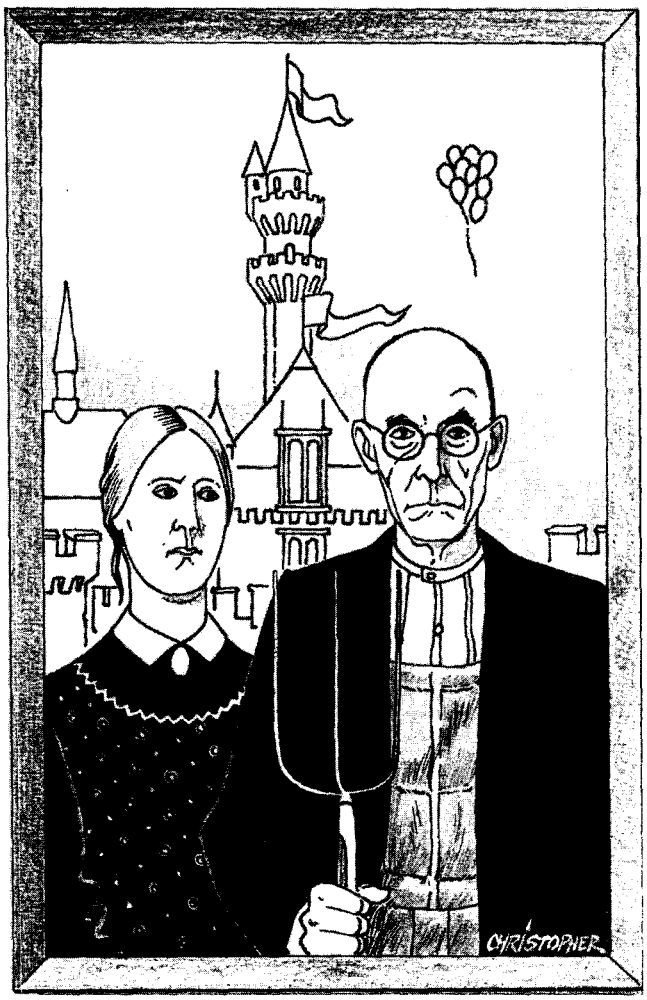
Orange County conservatism: from the land, not the landscape

By JERE WITTER

(Editor's note: We pass this along as another explanation for the comings and goings in Orange County.)

Orange County wears a misleading disguise. Drivers through the county see mainly the freeway, and a freeway here is a freeway anywhere. Visitors see mainly the glamorized portions of the county and go away thinking it's an extension of metropolitan Los Angeles. They couldn't be more wrong. My fondness for the county has nothing to do with its Riviera nor with Disneyland nor the "Big A," Anaheim Stadium. The soul of Orange County stirs restlessly beneath all that, in the ground. Orange County is still farmland.



It remains farmland beneath veneers of high-rise, low-level manufacturing and development. For example, the outer edge of South Coast Plaza, that starkly luxurious mass of hotels and shopping centers near Interstate 405 in Costa Mesa, descends directly into 300 acres of celery field. Expensive tracts in Huntington Beach are divided by larger acreages of plowed ground. A home with windows left open collects layers of dust that is neither soot nor street dirt but plain topsoil. Leave off dusting for several weeks and you can grow radishes on a desktop.

Newport Beach and other urbanized resortlands don't really represent the rest of Orange County whose cities and communities retain agricultural marks as visible as furrows across a corn field. A sign outside Huntington Beach's monolithically modern city hall forbids you to bring a horse into the building. The major industry in the city of Orange is an ancient fruit-packing plant a block from the dressed-up center of town.

"Victorian" homes on upper French Street in Santa Ana aren't really Victorian at all; they are big, once-prosperous farmhouses reminiscent of rural Iowa.

Less than a third of Orange County's half-million acres is developed. The county's Environmental Management Agency predicts that less than half will be developed by the year 2000. A satisfying preponderance of county land is, and promises to remain, hillside wilderness, meadowland and cultivated farm country.

The political geography of the county remains an agricultural prototype. Power is vested in the board of supervisors, a traditional governing body for rural areas. This is so because no strong cities have arisen in the county to give the board serious political challenge, a situation that is likely to continue for some time. The county has 27 incorporated cities and 31 unincorporated communities. Many act as though others don't exist. They show little inclination to league together and rarely communicate with each other except in an emergency. Although the county seat is Santa Ana, not one of the five supervisors lives there.

Orange County's supervisors are a mixture of pretty-much-the-same-thing. They are conservatively committed. They think much alike. And if it weren't for sectional pressures and loyalties they would vote alike.

Supervisor Ralph Clark has the square body and muscular hands of a working farmer. Tom Riley, the other senior member, has the kindly features of a cracker-barrel philosopher.

Board member Roger Stanton tries to be as much like them philosophically as his slim build and vested suits will allow. So does Harriett Wieder who is no politically adventurous housewife but an established leader in her district, and was long before she became a supervisor.

Wieder's presence marks a departure for the board. In 94 years of countyhood, she is its first female member and its first Jewish one, although she downplays both distinctions, just as Supervisor Bruce Nestande downplays whatever sophistication he picked up as a state assemblyman.

They may be the most powerful supervisors in the state.

Jere Witter is a freelance writer in Huntington Beach who arrived four years ago from Los Angeles.

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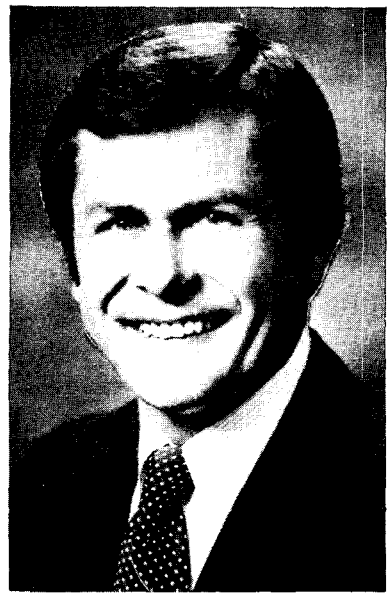

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Flimsiness of governmental competition within the county, added to Orange County's strategic location and exploitable wealth, puts great responsibility in five pairs of hands. This is especially true since the board not only makes laws but administers them.

Orange County's form of supervisorial rule may have the virtue of philosophical consistency, but it has two weaknesses. The county's pre-eminent elective body is vulnerable to moneyed influence (control three supervisors, and you've gone a long way toward controlling the county). And the board, as constituted, is nowhere near the cutting-edge of an urbanization that is overtaking, and will someday overwhelm, the county.

Orange County's conservatism takes a bit of studying. It is shaped differently than most outsiders think. For example, former Republican state Senators John Schmitz and John Briggs do not represent political thought in the county. It is doubtful they ever did because the county's conservatism is not as draconian as it seems to the outside world. It is a conservatism fostered by the caution of people concerned with the land and patient with the seasons. If you can't rush nature, why rush anything? Concern with the land translates easily into worries about property values and taxes.

Orange County's brand of conservatism turns big-city party politics upside-down. In the cities, the Democrats are the street-smart political animals. Here, Republicans are. They campaign better, and do the most with a narrow or non-existent margin of registered voters.

Some Democrats prevail, but most seem confounded by these agrarian surroundings, like motor-mechanics trying to harness a team.

Democrats rarely bother to exploit whatever liberal depths the county has. They appear to think the way to beat Republicans is to pass them on the right, dangerous in any kind of traffic. But Democrats are perennially split over how to do this.

So conservatism sometimes wins by default. It is nonetheless well-founded. To an agricultural tradition imported directly from the American middle west (except for Anaheim, which got it undistilled from German immigrants) add a large new influx of caucasian elderly. They have the normal conservatism of age and memories of a childhood on the farm they have moved to from the city to rediscover.

The day may come when youthful millionaires, bathing-suit models and innovative thinkers form the intellectual spine of this county, but they don't yet. Look instead to the retirement communities, the mobile-homes of Westminster and Garden Grove and the cottage neighborhoods of Fullerton and Anaheim. Still predominant are senior people comfortable in small business and small communities, but essentially of the farm or inclinded toward it.

Subtle racism

This explains, unhappily, the county's attitude toward its minorities. Asians are still looked upon as visitors who will go away when the railroad is built. Hispanics are viewed as migrant labor, though they are far from a minority in Santa Ana and are — ironically — both agriculturally oriented and conservative. The boat-people, subjects of endless "studies," have been neither understood nor accommodated. Latins are rarely found in the power-structures of areas they populate.

There is less calculated pattern to this attitude than simple neglect and there may be reasons for it, if not excuses. (The "gentry" of Orange County is not very cosmopolitan, and the language barrier helps discourage association with the Latin elite (as it does between Latins and Asians).

Therefore, what seems like bigotry may be unfamiliarity. A white person will take special notice of a black person if he's never seen one before, and blacks are as rare in Orange County as they are in rural Iowa. It's not that they are "kept out" exactly. Western blacks are urban people, and the county is not yet urban.

Generalizing about two million individuals, Orange County residents cherish traditional values, or they wouldn't stage the best marching-parades in the state. They are intensely patriotic, or the city of Westminster would not have revoked the Panama Canal treaty by resolution. They are sympathetic to the military and sensitive to its wishes, or they would have long ago pried the El Toro Marines out of an airbase the county needs like breath itself. Their leaders tend to confuse the ethics of business with the ethics of politics, something that has brought a disproportionate number of officials under criminal indictment.

Orange County residents would rather not take concerted action, but they can if they must. Every jurisdiction in the county helped put out the Anaheim fire of 1982, along with gangs of civilians. Not one of the 1500 homeless had to sleep outdoors that night.

The residents are resourceful, which is good. But, they face challenges many would rather not think about. For old timers who tend to look backward or inward, not forward, the onset of citification isn't all pleasant, just inevitable. And, well on its way.

It takes no great foresight to see the county emerging as a civic entity. Given its available space, its climate and the position between two large cities, it can hardly do otherwise. Indeed, Orange County has already begun to assert a strong civic personality. It recently demanded, and got, its own division of the state appeals court. It demanded, and will get, its own federal court. It demanded, and got, its own state transportation district.

It launched and is enlarging the Multimodal Transportation Study of 1980. "Multimodal" is a code-word meaning a system that suits the needs of residents, not transients. It also means the county is tired of serving as an alleyway between Los Angeles and San Diego.

Not that the county is apt to rush into cityhood. It is not in its nature to rush anywhere. But its urban responsibilities increase with the dawn of each new day. And how the county gets where it's going is a great unwritten story.

It has the history of Los Angeles as a pattern for study. Not as a model, but a reference.

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Well-paid lobbyist for state government

By MARTIN SALDITCH

Thirteen years ago, David Vienna was a $14,700-a-year investigative reporter for the *Washington Post*. But that was several years before the Watergate scandal added a touch of glamor to the profession, so he decided to leave reporting for a better-paying job. He had a wife and children to support.

Today, thanks in part to the state of California, he supports his family quite well. His Washington-based research and lobbying firm — David Vienna & Associates — earns about $600,000 in annual fees, almost half from representing three California government clients: the state Senate, Controller Kenneth Cory and the state Franchise Tax Board. A tidy income from the state.

But why? With a 47-person congressional delegation supposedly representing the interests of California, why do Cory and the others need a lobbyist in Washington?

According to Assistant Deputy Controller John Jervis, state agencies need information about bills pending before Congress, and congressional delegations can't always provide it. The House delegation is fractured into 45 districts, each with its own problems, interests and constituencies, and the state's two senators must often focus on issues of national importance like foreign policy and defense (not to mention the fact that one of them is running for president). Also, Jervis says, given the way various states and regions compete for a share of the federal largess, California needs someone to keep up with the Washington bureaucracy and provide data about federal grant programs. State officials need their own insider and, for some of those officials, that insider is David Vienna.

Operating out of a townhouse on Capitol Hill, Vienna's eight-person firm receives $120,000 a year each from the State Controller and the state Senate, plus a relatively modest $36,000 annually from the Franchise Tax Board, a total income that makes the 40-year-old native of Los Angeles' Lincoln Heights district the best-paid California governmental lobbyist in Washington.

Vienna, who charges $100 an hour just for his personal work time, does not think he is overpaid. He notes that former Governor Jerry Brown's 12-person operation in the nation's capital cost $500,000 a year. Also, he adds, the state Legislature spent another $250,000 a year for a four-person Washington office before a disagreement between Assembly and Senate leaders caused that office to be closed in June 1982. Later that year the Senate Rules Committee hired Vienna's firm.

Although they have used Vienna on a spot basis, the Assembly still has no permanent representation in the national capital. Steve Thompson, Speaker Brown's chief of staff, says the Assembly leadership is now studying a range of options for Washington. The only other state agencies with Washington lobbyists are the Department of Education (Don White) and the University of California (Peter Goldschmidt), both veteran one-man operations. California State University closed its three-person, $120,000-a-year office in June as an economy measure.

Governor George Deukmejian is about to name a staff director for the state's Capitol Hill operation, and the leading candidate is Karen Spencer, 31, a Sacramento lobbyist and daughter of Stu Spencer, sometime Reagan advisor.

Vienna does not match the everyday image of a sophisticated, well-coiffed, well-tailored Washington lobbyist. He is short, beefy, rumpled and outspoken. But ". . . worth twice his ample weight in gold," says John Jervis.

Among Vienna's achievements, according to Jervis:

— He helped kill legislation, supported by multinational corporations, that would have prevented California and other states from considering a corporation's world-wide earnings while assessing its state income tax (the unitary method). This, Jervis and Vienna claim, allowed the state to retain $485 million annually in taxes.

— He formed a coalition of southern and western states that persuaded the federal Office of Management and Budget to authorize interest payments to states when the federal government was late reimbursing them for various social programs.

— He saved California more than $1.3 billion dollars over a three-year period by forging another coalition of House delegations that helped defeat a Reagan administration attempt to put a lid on Medi-Cal funds and reduce the federal Medi-Cal share by nine percent.

The possibility these cuts will be made is one reason David Roberti, president pro tempore of the state Senate, feels the

Martin Salditch is a Washington, D.C., correspondent for the Riverside Press-Enterprise.

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need for representation in Washington.

Says Roberti, "Frequently, the state Legislature is expected to make up the difference in federal cutbacks through the state budget process. Vienna's firm was selected because he and his staff have solid experience in those social service areas where most of the budget cutbacks have been occurring."

Vienna characterizes his work for the Senate as "defensive." "We are to watch for any federal issues which would have an adverse fiscal impact on California, particularly human service programs."

For example, Vienna cited the immigration reform bill before Congress which would legalize millions of illegal aliens who settled in this country before January 1, 1980. It would also impose penalties on employers who hire other illegal residents. "That bill would cost California up to $1.1 billion a year by making illegals eligible for Medi-Cal and family welfare programs," the lobbyist notes. To help further this aim, Vienna's firm prepared a detailed, 34-page analysis of the bill. The analysis was sent to other state legislatures over the signature of David Roberti who asked for support to fight the proposal. California would like the federal government to pick up those costs, he says. Another of Vienna's current projects involves analyzing the fiscal impact to California of a House-passed bill on health insurance for the unemployed. Although the House version won't cost the state much money, Vienna will keep an eye on the Senate which may alter federal-state shares, thereby hiking the impact on California.

Vienna says his firm is effective in part because he has built a computer capacity to analyze federal-state revenue-sharing formulas and related data. As a result, shortly after President Reagan proposed his 1984 budget to Congress, Vienna says, he was able to issue a program-by-program analysis showing that the budget would cost California over $1 billion annually in federal funds.

Vienna Associates also serves business and professional clients such as the National Association of Credit Managers, a group of trainers and owners of thoroughbred horses, an importer and a claims processor. In order to avoid a possible conflict-of-interest, Vienna says he refuses to accept a private client whose position on an issue would oppose that of the state government.

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Vienna established his firm in 1979. Previously, he had been a staff investigator for the United States Senate, specializing in abuses in pre-paid health plans and student loan programs. He had also published a weekly newspaper in Morro Bay, sold real estate in Los Angeles and reported for the *Post* and for the *Wall Street Journal.* He received a political science degree in 1965 from the University of San Francisco, an education that Vienna says makes him, if nothing else, a spiritual kin of his other state employer, Senate President Pro Tempore David Roberti, who also graduated from a Jesuit university — Loyola of Los Angeles.

Cory was one of Vienna's first clients. The two met during a 1975 Senate probe of Medi-Cal contracts in California. The state controller was impressed with Vienna's knowledge of a complex subject and wanted him to come to work in the controller's Sacramento office. But Vienna, determined to establish his own firm in Washington, declined. More recently, he has raided Cory's Sacramento staff, having hired James Wise to improve his firm's liaison with the California congressional delegation. Other aides and/or partners include Leigh Snell, an attorney with experience at the Federal Trade Commission, and Cheryl Davis, a former chief legislative assistant to Democratic Senator Sam Nunn of Georgia. According to Vienna, Davis' Georgian drawl works wonders to allay the suspicions of, and gain access to, southern legislators.

Money also helps Vienna's access. Since his firm is a state government contractor rather than an employee, it can make political campaign contributions to members of Congress. His firm gives about $10,000 per election period to both Democratic and Republican campaigns. "We have access to information from congressional leaders in exchange for helping them raise campaign funds," he says.

In order to avoid the appearance of payoffs, Vienna says he has not given campaign contributions to Cory or to members of the state Senate. "Nor have I been asked to," he adds.

Handicaps

Vienna says that his main handicaps in representing California are the state's reputation for being pushy and greedy in seeking federal funds, usually at the expense of smaller states, and what he terms the ineffectiveness of California's two senators, Democrat Alan Cranston and Republican freshman Pete Wilson.

The lobbyist asserted, "I don't think we can rely on our senators because one (Wilson) is asleep and the other (presidential candidate Cranston) is otherwise occupied. Cranston, in my view, has been insensitive to the bully image of California. He loses time after time on major issues because (of the perception that) California and New York are greedy."

As for freshman senator Wilson, the former mayor of San Diego who succeeded S. I. Hayakawa, Vienna said he "appears to me to be either biding his time or developing for Sam Hayakawa a reverse reputation that he was in fact awake the entire time . . . I don't think he is a player in the Senate."

Vienna said he relies more on the California House delegation because it comprises ten percent of the entire population-based chamber and thus "has more clout." The state's House delegation also provides a wider coverage of committees, where the bill-drafting takes place, than do two senators allotted but three committees each.

"California could well use more lobbyists in Washington," advised Vienna. "We're exceeded by such other states as New York, Florida and Illinois." In addition, other states have formed regional coalition organizations to protect their federal interests.

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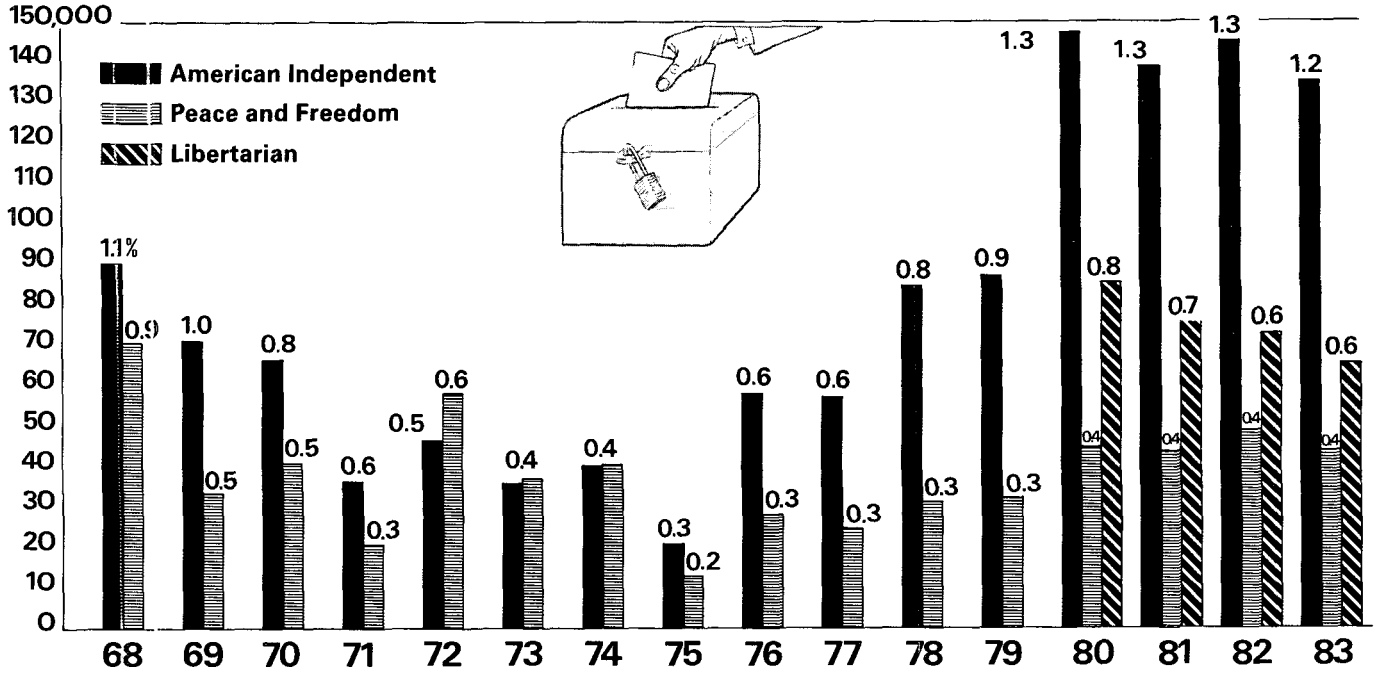
California's minor parties hopeful despite stagnant public support

Minor party voter registration



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By MARK SIMON

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Given these bleak circumstances, here then is a rundown on each party as it looks forward to the elections of 1984.

American Independent Party

First qualified for the California ballot in 1968, the AIP typically has about one-third more registered voters than do the Libertarians and about twice as many as the Peace and Freedom Party (see chart). Officials from the latter two parties insist they trail the AIP because the party name misleads people into believing they are registering as independents, a claim perhaps borne out by AIP's dramatic increase in registration between October 1979 and October 1980 (see chart). That time frame roughly corresponds to an unsuccessful presidential bid by former Illinois congressman John Anderson, a Republican who ran as an "independent." AIP officials dispute the claim, saying their own, informal research proves otherwise.

In the 1968 presidential election, AIP candidate George Wallace garnered 6.7 percent of the vote statewide, but no AIP candidate has since approached that level. In 1982, the AIP candidate for governor collected less than one percent of the vote and finished behind the Libertarian candidate. The top AIP vote-getter for 1982 was Pat Graham, a candidate for state controller who won 2.3 percent of the vote, less than the Peace and Freedom candidate.

In two congressional and nine Assembly districts, AIP registration is as large as the difference in registration between Republicans and Democrats. Those districts tend to be mostly rural

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Statewide, AIP's organization could be described as low-key. The party has neither an executive director nor a central state office although there are regional directors active in the state's major counties. In 1982 the party spent less than $30,000, according to state chairman Fred Barber, a 52-year-old department manager for an Orange County aerospace firm. Most of that money was given to the party's national organization, Barber says, although they did "slip $500" here and there to a few local candidates.

Originally, the AIP was built around the 1968 presidential bid of Alabama Governor George Wallace. But Wallace was — and remains — a Democrat (he was recently elected to a fourth term as Alabama's chief executive while running as a Democrat).

Also, in 1972, after Wallace was felled by an assassin's bullet, the party's presidential nominee was California state Senator John Schmitz who registered AIP for only eight months before returning to the GOP. Schmitz, of Orange County, returned to the state Senate in 1978 — as a Republican — but quit at the end of last year.

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"We want to make one big party out of it all, like we did eight years ago," Barber said.

Meanwhile, Barber says that the AIP will bide its time until the American people get fed up with what he calls the insidious influence of such organizations as the Tri-Lateral Commission and the International Monetary Fund and with vague distinctions between the two major parties. "No matter who you put in office, you get the same old junk," Barber says. "You get the same bunch of guys running things. We're what the other parties used to be, but they drifted away." Of his party's waning registration, Barber adds, "You've got to have faith. You've got to keep believing. We believe in the concept of a constitutional government. We just, as you say in church, keep the faith."

Qualifying a party for the ballot

Under California law, voters may register as members of whatever political party they like. If no likeable parties are to be found, a voter may create his or her own party on the spot. The State of California does not care.

But qualifying a party for the ballot, so that its candidates' names are placed before other voters, is something else again. This — according to Anthony L. Miller, chief deputy secretary of state — requires popular support. Party organizers must either register a specific number of voters as party members or submit petitions on which a specific number of voters ask that the party be qualified.

In the first case, the party needs a number of members equal to one percent of the vote cast in the last gubernatorial election. At the moment, that would be 80,643. In the second case, the petitions must be signed by a number of registered voters (who may or may not be party members) equal to 10 percent of the vote cast in the last gubernatorial election. That would be 806,432.

Currently in California five parties are qualified for the ballot. There are the Democrat and Republican, of course, along with Peace and Freedom, American Independent and Libertarian.

To remain on the ballot also requires a showing of popular support. Specifically, at least one of the party candidates for statewide office must get at least two percent of the vote cast for that office, and the party must maintain at least 1/15th of one percent of total state registration.

In 1981 Democrats in the Legislature, believing that their candidates were losing votes to the Peace and Freedom Party, tried unsuccessfully to knock Peace and Freedom off the ballot. The Democratic bill would have raised the 1/15th requirement to one-half, a registration total that Peace and Freedom could not meet. The measure died under a mass of unfavorable publicity and opposition from Republicans.

The Peace and Freedom Party

The Peace and Freedom Party's active ballot status has been tenuous in recent years. Like the AIP, the P&F qualified for the ballot in 1968 with nearly double the required number of registered voters. But since that high-water mark, party registration routinely has been below one percent of the total registered voters, and frequently below half a percent.

But low registration figures are misleading; P&F candidates usually run as much as four times ahead of registration and frequently ahead of AIP candidates. For example, a P&F candidate for controller got 2.5 percent of the vote last year. In the six statewide races where both AIP and P&F candidates were on the ballot, P&F candidates finished ahead of AIP candidates in five.

But, like the AIP, the P&F never has approached a position where it could be said to influence the major parties or the electorate. In 1968, a P&F presidential slate, nominally headed by Eldridge Cleaver, received less than half a percent of the votes cast for president in California. According to press accounts at the time, the combined total of the AIP and P&F in 1968 was the largest cast for third party candidates since 1852. In 1972, P&F presidential candidate Dr. Benjamin Spock received 73,678 votes nationwide, 53,446 from California.

Emma Mar, 56, the state P&F party chair, acknowledges that the party's influence is insignificant.

"With enough time, we would be able to influence more people," she says. "Neither of the two major parties is doing much about unemployment, and the military budget has swollen while social programs are being cut. People see the two major parties as the same thing, and they are very disenchanted."

Mar, a bacteriologist and medical technologist for Planned Parenthood in Oakland, says the P&F has no full-time executive director and no specific plans for 1984 other than to run candidates for president, senator and the House.

Candidates for local office will have to depend on their own resources because Mar concedes there is "not much" money in the state party treasury. The average P&F candidate spends less than $500, she adds, because "our support consists of people who simply don't have much money."

But Mar remains hopeful that the developing political nature of the United States will awaken people to the fact that "capitalism is bankrupt

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and deep in crisis with its stagnating economy and runaway inflation."

The Peace and Freedom Party was formed around movements against the Vietnam War and for civil rights. In the mid-1970s, the party splintered and emerged as an avowed socialist organization. Now, according to Mar, it is in a better position to serve the voters "as more people realize they can vote for an alternative rather than not vote at all."

The Libertarian Party

The Libertarians are the most optimistic and the most active of the state's third parties, reflecting, perhaps, their more recent addition to the state ballot.

Formed in 1971, the Libertarian Party's 1976 presidential candidate, Roger MacBride, won 5,000 more votes nationwide than AIP presidential candidate Lester Maddox. In California, Libertarian Ed Clark won 5.5 percent of the vote for governor in 1978 while running as an independent. The party itself did not qualify for the ballot until January 1980. Since that time, the party's candidates have drawn about one percent of the vote in statewide races, a level party officials say is probably a true measure of voter support for the Libertarians.

Libertarian registration was a shade below one percent in January 1980 but dropped to 0.6 percent last October and remained at that level through January. Officials say that Libertarian registration is low because potential party members, being anti-establishment, are not joiners. As a result, party officials, less worried about chalking up big numbers, are concentrating instead on organization and fund raising.

Unlike the AIP and P&F, the Libertarians have a full-time executive director, Marshall Fritz. Fritz, a former IBM salesman from Fresno, was named to the $36,000-per-year post this past March after he convinced the state party executive board that a full-time executive director was necessary.

Under Fritz' direction the Libertarians have launched a program to establish 16 county-based organizations throughout the state. Each is expected to hold regular meetings and publish a regular newsletter. Fritz has also started a formal fund raising program. Contributors can join the 20/20 Club and give in $20 amounts, the 10/39 Club (for those who can't stand the idea of a 1040 tax form) or the Good Nickel Club (as in "what this country needs is a good five-cent nickel"). Dues for the latter Club is 111 nickels a month.

Fritz projects a budget of $100,000 for the first year, with the money used for such programs as a letter-to-the-editor program, a speaker's bureau for community groups, newsletters, candidate recruitment, computerized voter registration lists and a direct-mail recruitment program.

Fritz also would like contributions from non-Libertarians, people who customarily might give large amounts to one of the two major parties but have become disgruntled with their leadership.

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Nonetheless, the Libertarians last month nominated a presidential candidate for 1984, and he's a Californian — David Bergland, a 48-year-old attorney from Costa Mesa in Orange County. Bergland is a hard-line Libertarian who believes in legalization of all drugs, return of all American armed forces and weapons from overseas and abolition of the CIA, IRS, national park system and public schools.

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"A better measure is how many people are out there actively and intelligently voicing our views and how much the general political climate tends to lead in a Libertarian direction. People are afraid to put a vote in what they really believe, because they're worried that the worse of two evils will get elected. I don't think that tendency is an indication we're losing strength. We're healthy," she says.

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BY PARTY
CAPITALIST-WORKERS
CHRISTIAN COMMUNIST
COMMON SENSE
COMMUNIST
CONSERVATIVE
CYBERNETIC
DADAIST
DEPENDENT
DONNER
FEMINIST SOCIALIST
FIRST
FIRST TRIUMVIRATE
FREEDOM
FREEDOM & LOVE
GOOD TIMES
HALLOWEEN
HUMAN
ICONOCLAST
IMPARTIAL
INDEPENDENT BEER
KNOW NOTHING
LA RAZA UNIDA
LABOR
LEFTIST
LET'S HAVE A TEA
LIBERAL
LIBERAL DEMOCRATIC
MAFIA
MARIJUANA
MARXIST-LENINIST
MISCELLANEOUS
MUGWUMP
MUSLIM
MY
NATURAL LAW
NAVY BLACK
NECKTIE
NEUTRAL
NIHILIST
NO PARTY
NON-CONFORMIST
NONE
PARTY
PEACE & QUIET
PEOPLES
PLATYPUS
POT
PROGRESSIVE
PROHIBITION
SOCIALIST
SOCIALIST-DEMOCRAT
SOCIALIST-LABOR
SOCIALIST USA
SOCIALIST WORKER
SONG & DANCE
SMASH THE STATE
SURREALIST
TAO
TAOIST
THIRD
TRUTH
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TOLERANT
TORY
UNDECIDED
UNDECLARED
UNIVERSAL
UTOPIAN IMMORALIST
VEGETARIAN
WEATHER
WHIG
WHITE PANTHER
WINE
WORKER'S
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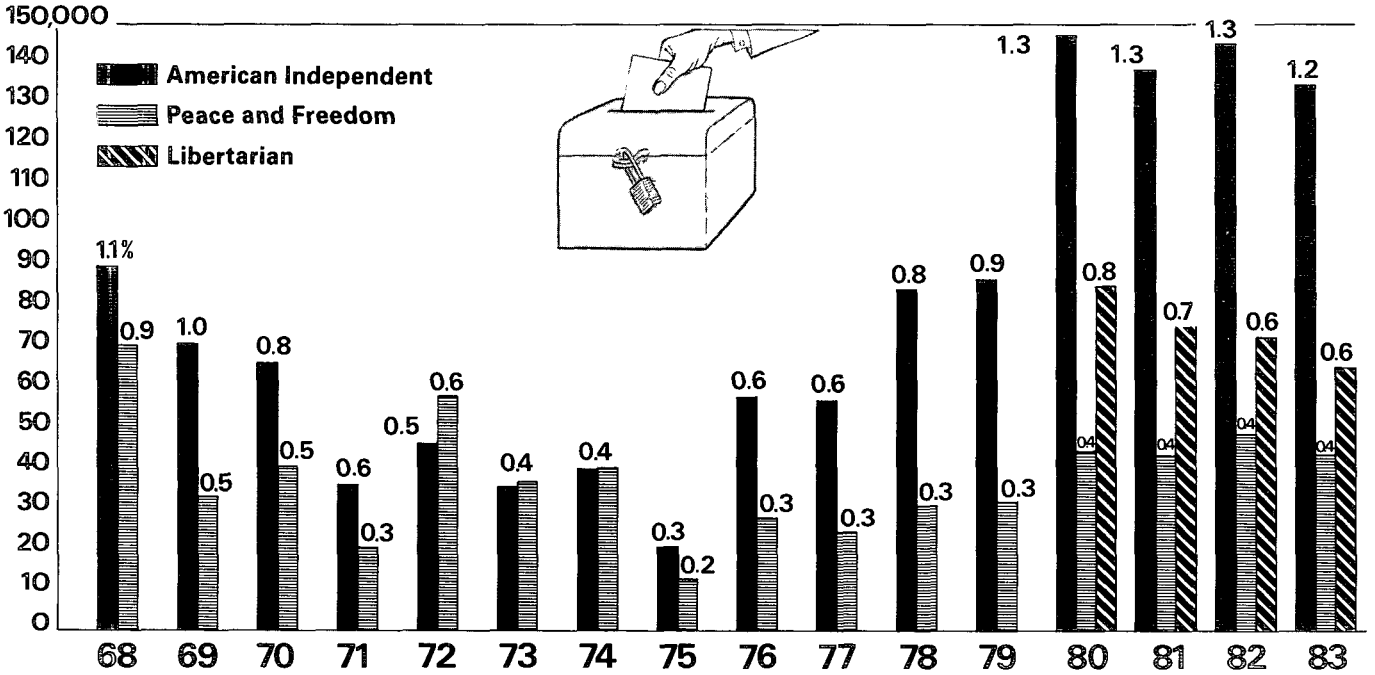

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HUMAN
ICONOCLAST
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KNOW NOTHING
LA RAZA UNIDA
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MAFIA
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SOCIALIST-DEMOCRAT
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SOCIALIST WORKER
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SMASH THE STATE
SURREALIST
TAO
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TOLERANT
TORY
UNDECIDED
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Reform is here for schools, but are schools ready for reform?

By ROBERT FAIRBANKS and RICK BOECK

What's in store for California's brand new public school reform law now that it's on the books and is being implemented by the school system? Although there's been considerable talk that schools are ready for reform, that's the rosy view. If past performance is any guide, look instead for attempts to undermine the law, either as it is being implemented or in future legislation. And keep an eye on the judiciary; there's no telling what some adventuresome court may do.

California lawmakers, like others in the nation, have been enacting public school reforms periodically for about a quarter century now, ever since the Russians humiliated the U.S. in 1957 by launching the first satellite into space. But few have had much effect. As reform enthusiasm wanes, the measures come under attack. Quickly or slowly they begin to erode, sometimes to the point that nothing remains.

Reform, like beauty, resides in the eyes of the beholder. What is brilliant to one person may be anathema to another. But in the case of California's public school reform, there's little doubt anymore about who the beholders are and what they see. Over the years, reformers have seen the need to improve teacher training, move the curriculum toward basic subjects and encourage or discipline teachers and administrators into doing better jobs. For the most part, opposition has come from those within the school establishment who believe more money will solve most school problems and see reform proposals as threats to their authority, job security or plain peace of mind.

The pattern was set during the first post-Sputnik battle over reform more than two decades ago. At that time, in 1961, Senator Hugo Fisher, a San Diego Democrat, was going to improve public education by upgrading the quality of teachers. His law required that prospective teachers study the subjects they were going to teach. No longer could a college student who wanted a public school job in California major in "education" or "how to teach." Naively perhaps, Fisher believed that if a teaching applicant had taken courses in history, for instance, he or she would know something about the subject.

It's impossible to convey now how radical his proposal seemed. At that time, and for years before, school administrators and professors of education had run the public schools. Legislators were expected to do little more than appropriate the necessary funds. But here was an outsider (Fisher was a lawyer) telling them that their teacher-training methods had to change. The opposition was bitter and intense.

Loopholes

Fisher, now retired from the bench, recalls that the State Department of Education attempted to undercut the new law by drafting loophole-filled regulations to implement it. The State Board of Education, composed of gubernatorial appointees, saved the law by redrafting the regulations. But over the next two or three years — as the reform spirit waned — the Legislature accepted enough loopholes to kill it anyway. "It surprised everyone that we prevailed even for a short time," Fisher says.

Ironically, the lawmaker who carried legislation that effectively repealed Fisher's bill was himself interested in school reform: former Assemblyman Leo Ryan. A Democrat from South San Francisco, he is remembered now as the congressman shot to death in 1978 by followers of the Reverend Jim Jones in Guyana. But in those days, Ryan was a school reformer, believing that education would thrive only when good teachers were recognized and rewarded with higher salaries, regardless of how they had been trained. In other words, he wanted what is probably the most controversial of all reforms, merit pay.

In 1970, Ryan pushed a merit pay plan through the Legislature, one that allowed local school districts to create a "Master Teacher" program. The Masters were to be su-

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perior teachers who could be paid more than their colleagues. But opposition from teacher unions and others quickly stifled the program. Dick Mastain, license coordinator for the Commission on Teacher Credentialing, says that to the best of his knowledge, not one of California's 1043 school districts have a Master Teacher program in effect.

Fisher says that Ryan visited him in San Diego about a year before the latter's death, and — during an afternoon sail in Fisher's boat — they reminisced over their efforts to change the schools. "We laughed about the transitory nature of these landmark reforms," he said.

Another reformer of yore was Senator John Stull, a Republican from Escondido. He was convinced that public education would improve if learning goals were established for students and if teachers were held accountable for goals not being reached. Enacted in 1972, his bill set no goals of its own but allowed local districts and teachers to establish them. Not surprisingly, the frequent result was a set of goals that made even failing students look good. Although Stull's law is still on the books, few teachers or administrators take it seriously.

Former Superintendent of Public Instruction Wilson Riles was another of the reformers. His goal was to promote innovation and learning at each school by giving parents a formal role in running the school. His "Early Childhood Education" program was first enacted in 1972 to cover the elementary grades and expanded in 1977 to cover schools through the twelfth grade as well. It was also renamed the "School Improvement Program."

But though Riles himself was a member of the school establishment, his program was never greeted enthusiastically from within. Teacher groups disliked sharing power with parents, and school administrators disliked seeing school money diverted into support for "site committees" at local schools. This muted opposition (after all, Riles was the school superintendent) combined with money shortages over recent years to virtually stop the program's growth. According to the Department of Education about two-thirds of the state's elementary schools are in the SIP program but only 20 percent of junior and senior high schools are covered.

The best known school reformer in the Legislature today is Democratic Senator Gary Hart of Santa Barbara, the lead author of this year's omnibus measure. Hart, a former high school teacher, says he was appalled years ago to discover that many of his high school history students could barely read or write. Thus, as an assemblyman in 1976, he took the field with a bill requiring that students pass minimum competency exams before high school graduation. But because of school opposition, there is no statewide standard in the law. Each district may set its own standard, and standards vary considerably around the state. Since elected school board members hardly relish seeing big batches of high school seniors denied their diplomas, district standards tend to be generally low.

In 1981, Hart carried another piece of reform legislation, this one designed to prevent incompetents from entering the teaching business. Prospective teachers, he decreed, must pass a minimal competency test. The first results, announced earlier this year, drew widespread publicity because the failure rate ran at a surprisingly high 35 percent. But it may be a while before his law has any substantial impact on the profession. Previously licensed teachers were not covered by the law, and the credentialing commission estimates that there are about 200,000 of them in the state. With newcomers entering at the rate of about 10,000 a year, it will be two decades before all are covered.

When the law first went on the books, the credentialing commission interpreted it to mean that some previously licensed (or credentialed) teachers were covered as well. These were teachers who wished to expand their licenses so that they could take on some new task, such as becoming reading specialists. Thus some licensed teachers have taken the test and have shown equivalent failure rates. In response, the teacher unions protested angrily and Hart himself carried another bill this year — which has been signed by the governor — to formally exempt these licensed teachers from the test.

Of all the major school bills during past years, only one has had continuing, substantial impact, and some might argue that it really was no reform at all. this was the 1972 legislation, authored by Sacramento Democrat Leroy

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Greene, that set up the statewide student achievement testing program. Although statewide tests had been administered previously, Greene — an assemblyman then and senator today — in effect regularized the program, making year-to-year and other comparisons possible.

The result has been a series of annual reports comparing the performance of California students with those of others across the nation. And, for the most part, results have not been good. Although achievement scores in the elementary grades have risen some over the years, those of high school seniors — the system's finished product — have consistently ranked below national norms. Because these tests make no changes in the school system itself, they may not be actual reforms. But the decade of bad news they have brought probably has done as much or more than anything else to trigger whatever reforms have occurred.

The latest in the series, of course, is this year's omnibus version, formally carried by Senator Hart and Assemblywoman Teresa Hughes, a Los Angeles Democrat. Finally approved by the Legislature July 19th and signed by the governor July 28th, it may last a lot longer than many of its predecessors if only because it has so many parts. In addition to its important financial provisions, which add $800 million to state school support this year, it includes some 80 changes that could be broadly described as reforms: everything from revamping high school graduation requirements to a modified form of merit pay known as the "mentor teacher program." (See "Special Section: The Budget," *CJ*, September 1983).

Ironically, the reform took its heaviest blow initially from Governor Deukmejian, one of those who had been talking up the need for reform. By vetoing a second year of additional state aid for the schools, he automatically cast into limbo a variety of reform provisions tied to that money. However, Deukmejian indicated that he was acting in a precautionary manner. He has promised to continue this year's $800 million into next year and chances seem good that the schools also will receive a good portion, at least,

Round Valley: a merit pay experiment

By BRIAN T. BURKE

As the issue of merit pay for teachers gains momentum nationwide and Californians join the debate with their own "mentor-teacher" plan, many observers are examining incentive programs already in operation.

In California attention has been focused on the small town of Covelo in Mendocino County where the Round Valley School District (enrollment 450) is beginning its fourth year with what may be California's only form of merit pay.

Although Round Valley employs only 27 teachers, Superintendent Leo St. John says the principle of the plan is valuable nonetheless.

"It can break through the devisiveness and distrust that is traditionally part of collective bargaining," he explains. The district, he notes, spends over four percent of its budget, $70,000 annually, to reward most of the teachers for their meritorious efforts.

Round Valley maintains its normal salary schedule, based on experience and college credits, but provides additional cash awards of up to $2800 (15 to 20 percent of a teacher's salary) to anyone who applies and earns a "merit rating" of one to ten points. Last year 74 percent of the teachers received ratings of "five" or better while 25 percent of the teachers reached the top quartile.

"The program has encouraged me to clearly focus on my goals in the classroom," explains Rich Saunders, a second grade teacher. His satisfaction, shared by other teachers, stems in part from the program's unique emphasis on teacher initiative. Annually the school board draws up guidelines for the program. Teachers are then allowed to suggest their own projects, goals, or activities that fall within the guidelines. "Such an approach," says Larry Fugman, a first grade teacher, "encourages professionalism and avoids problems of personality."

It also encourages school board involvement in the daily educational process. Members of the local board sit on a merit evaluation committee with teachers and administrators and discuss with each teacher their proposals for the year. Board members are also expected to visit classrooms during the year for on-site verification. At the end of the year, each teacher meets again with the committee to share evidence of his or her accomplishments. Four of a possible ten points are then awarded to teachers for projects such as improved reading and math scores, development of a schoolwide writing program, sponsorship of a student magazine or teaching extra courses.

Another cause for the program's general acceptance among teachers is its emphasis on cooperation and group effort. Unlike merit programs that stress self-advancement and competition, the Round Valley plan awards 2.5 of its merit points for group effort, projects that require cooperation and build on comraderie. In an effort to gain these extra points, teachers have created unified discipline programs, intramural sports, energy saving ideas or curriculum guides.

Principal's role

One aspect of the program that has not received enthusiastic support from the staff is the principal's yearly evaluation. Based on classroom observations these evaluations account for up to 3.5 of the merit points. Thus teachers who succeed with their individual or group projects may falter on the principal's evaluation and receive a total of only 6.5 points or half of the 2800 dollar award. "It's the weakest part," says Larry Fugman, "because it is the most subjective. The other parts promote good teaching because they are based on clearly stated objectives."

Conceding that the evaluation process is still a problem, school board member Lynda Phelps feels that, "flexibility and trust on the part of everyone is needed to work it out" and accounts for the success of the program so far. John Miller, a high school teacher, agrees, saying that the staff is "exceptional in its willingness to work with the board and administration."

Will the Round Valley Plan become a model for other school districts? Some aspects of the program might prove difficult to imitate. The personal commitment and sense of cooperation may be easier to come by in a small district. Yet it is these very facets of the program, as well as the teachers' participation in the design and evaluation, that have helped this incentive program succeed where others have failed.

Brian T. Burke is president of the Round Valley Teachers' Association.

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of the additional $1.1 billion that he vetoed from the measure.

Thus, it seems likely that other forces may be more important when it comes to eroding various provisions of the statute. Already, the powerful California Teachers Association — which opposed many of the reform provisions in the first place — has analyzed the bill for future challenges. "We've put together about 300 to 400 pages of questions so far," said executive director Ralph Flynn after a four-day CTA conference on the measure last August. (The bill itself, SB813, is 490 pages long.)

Flynn appeared to be looking first at a host of reform provisions aimed at giving school districts more power to move, punish or dismiss teachers who are regarded by the district as substandard. He predicted "strange growths and interesting aberrations" in this area and indicated that the CTA expects to be in court for some time. "You have to understand," he says, "that with legislation of this size, it takes two to three years of litigation before the dust settles on the interpretation of the statutes."

For the rest, much depends on local school districts. They began working last month to implement the reforms, but educators warn the effort may require months to develop and years to refine. "This is the biggest slate of reforms that any state has undertaken at any one time," notes James Guthrie, an education professor at UC Berkeley. "It's going to take two to three years just to figure out what's in the bill. And for it to begin to solve the problems in the schools is an even longer proposition. It will take three to four years to filter its way through the 1043 school districts in the state."

The bill gives local districts considerable discretion in implementing the measure, meaning that results may vary enormously. Jack Wilson, a lobbyist for the California School Boards Association, says, "Some districts are going to do fantastic things with these reforms, and others are going to do nothing with them. You can find anything you're looking for in a state with 1043 districts."

For instance, a number of districts previously adopted graduation requirements similar to the three years of English and social science, two years of science and math and a year of fine arts or foreign language in the Hart-Hughes bill. And now some may build courses that exceed the new standards. However, some school boards whose members fear higher failure and drop-out rates may just as easily adopt courses bearing the required titles but lacking the necessary substance. As Michael Kirst, a Stanford University professor of education, points out: "There's nothing in the requirements defining content or that requires rigorous and useful classes and not mindless courses in consumer math."

The new graduation requirements will create other problems. With the increased academic courses and the decreased demand for elective courses — now 50 percent of the curriculum in some secondary schools — districts face serious staffing problems. The shortage of qualified teachers in math and science continues, and now even English teachers are in short supply. And what will displaced home economics and physical education teachers do? The answer is obvious. Whether qualified or not, these teachers will move into English Composition or Algebra I classes. They can earn the proper certification through retraining programs, by passing subject matter tests or, if they have taken the minimum five or six classes, apply for emergency credentials. A fourth alternative, that administrators may plant unqualified teachers in classrooms, is also a possibility. "There's no agency to enforce legal assignments of teachers," notes Ken Lane, a lecturer in education at UC Berkeley, "and there are holes in the credential laws large enough to drive a truck through."

Enforcement

While no state agency exists to enforce any of the bill's provisions, the law couples most reforms with rewards for districts that comply. For instance, the longer school days and years, which have been deferred until 1984-1985, are optional for districts. Those that elect this reform will receive additional funds. Other incentives include mini-grants of $2000 for creative projects and rewards for high schools whose students show improvement on statewide tests.

Of all reforms in the new law, none may prove more controversial and therefore less successful than the Mentor Teacher Program, which — in the eyes of many teacher-unionists — looks a little too much like merit pay. School superintendent Bill Honig, a key supporter of the reforms, is quick to distinguish. "Teachers are getting additional pay for additional work,"he says.

(Under the program, outstanding teachers who agree to help beginning teachers and to develop curriculum may receive additional pay, up to $4000 a year.)

Mary Bergan, lobbyist for the California Federation of Teachers maintains that the program could create rivalry among teachers and discredit those who are not mentors. "You can't have teacher A who is mentor and teacher B who is not, and then tell parents it's all right for their children to have teacher B."

Honig and others specifically designed the program to allay some teacher concerns, particularly concerns about favoritism in the selection process. As the program is to work, panels compromised mostly of teachers will nominate candidates to school boards, which make the final selections. But as a teacher pointed out, board members could reject all candidates until they got those they wanted. Since teachers must choose to establish the Mentor Program, it seems certain some districts will reject it, at least in the first year. "It may wind up like the Edsel;" one administrator commented, "not poorly made, but just didn't sell."

Ken Lane sees another problem. "Parents may not want their children to have mentor teachers since mentors may be out of the classroom too often. Administrators could load them with curricular projects, and the main purpose of the program may get swept aside."

But despite all such problems with the mentor program, as well as with other reforms in the bill, and despite the performance of reformers past, at least one top official remains optimistic. Superintendent Honig believes the reforms will be implemented and intends to keep watch on the state's local school districts to see that they are.

"The stage is set for an unprecedented educational renaissance in California," he says.

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Private foundations and public education

By MICHAEL THOMPSON

For much of California's history, wealthier school districts (those with relatively large amounts of assessed valuation within their boundaries) had more revenue to spend on their children's education than their low-wealth counterparts. All of this changed, however. In 1971, when the State Supreme Court issued the *Serrano* vs. *Priest* decision, it declared the financial system unconstitutional. State aid to the wealthy districts, relative to their poorer neighbors, began to decline.

Further compounding the problems was the passage of Proposition 13, the Jarvis-Gann property tax relief initiative of June 1978. It virtually eliminated property taxes as a funding source for local education and shifted control of schools to the state. In the wake of Proposition 13, several other tax initiatives — government spending limits, the inheritance tax initiatives and income tax indexing — were approved by voters. Because of the *Serrano* decision and these various tax-cutting initiatives, some school districts are turning to non-profit community organizations to provide extra financial assistance, and the development of private foundations to subsidize public school education as an end-run around *Serrano* is becoming increasingly popular in California. Obviously, a trend toward private foundations in affluent districts augmenting local district school funds effectively undercuts the intent of the *Serrano* decision — equal funding. Although the exact number of private foundations is unknown, knowledgeable authorities estimate that 60 to 120 exist.

There are many different types of foundations. For instance, the San Francisco Education Fund (SFEF) was started in 1976 to raise money and provide grants to teachers and principals for specific projects. This particular foundation is an independent entity that disperses funds directly to educators, apart from the school boards. Gladys Thatcher, executive director of SFEF, states, "Two notions were, and still are, central to our vision: the first is that community-raised funds should bypass the political process; the second is that teachers are the ones we need to reach first."

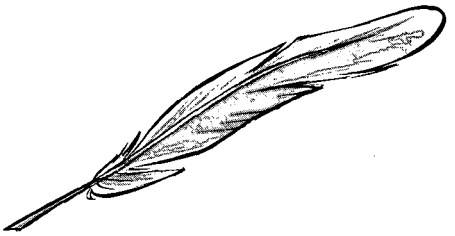
School Power of Laguna Beach was launched to raise money to provide extra "frills" for their schools. Different from SFEF, School Power purposely separates its fundraising from the allocation process. Sandy Thornton, executive director of School Power, explains, "We give our funds directly to the director's general fund and never specify what it should be used for. We purposefully work through the elected officials."

School Power's means for raising funds runs the gamut from individually soliciting possible donors to bake sales, raffles, circuses, and sponsoring runs. Board member Pat Kolenda claims, ". . . you name it, we've either done it of it's on our agenda."

The St. Helena Public Schools Foundation has combined characteristics of both SFEF and School Power. Harriet Mayeri, the public relations official for the St. Helena-based foundation explains that, "We plan to turn the money we collect over to the school board because they are the elected officials and are held accountable to the voters." However, the school board has established a priority list to show what it will do with the money. Foundation money will be transferred to the school district to be used in strict compliance with the board's list. Input for the list is to come from the school board, teachers, staff, students, parents and local citizens.

The St. Helena Foundation was created because of a $300,000 deficit in the school district's budget. "We came into being because of *Serrano-Priest* and Proposition 13," said Mayeri. "In the short-run we hope to raise the $300,000 needed to maintain the status quo, in the long-run we would like to enhance the quality of education."

Although embracing a wide range of models, all foundations exist to raise much needed extra revenues for public schools. Obviously, too, it is mainly affluent school districts — Piedmont, Palo Alto, Beverly Hills, St. Helena, San Francisco or Laguna Beach, for example — that have the well-to-do citizens able and willing to promote a foundation. Of



Contest winner announced

Michael Thompson, a student at California State University, Chico, is winner of $500 in the *California Journal* 1983 competition for the best student paper on California government and politics. Thompson's paper, subtitled "Bailout or Sellout?" reviews the trend of private foundations financing public education and thereby circumventing limitations on local funding of education imposed by the *Serrano* court decision and Proposition 13.

Two other papers receive honorable mention: "Trends in Public Pension Investing" by Matthew Lovett of U.C. Davis and "Media Coverage of the State Appellate Courts" by Andrew Ould of CSU, San Jose.

Judges for the competition were Assemblyman Phillip Isenberg; Charles Bell, professor of political science at U.C. Davis and CSU, Fullerton; John Syer, professor of political science at CSU, Sacramento; and Thomas R. Hoeber, publisher of *California Journal*.

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the state's 1,043 school districts, probably less than ten percent have foundations.

Critics contend the foundations are creating spending disparities between high-wealth and low-wealth districts as gaping as they were prior to *Serrano*. Opponents of the foundations are raising questions such as: Are students enrolled in low-wealth schools receiving a qualitatively different education than children from wealthy districts? If so, how much of the difference in education can be attributed to the role of the foundations? Are quality instructors attracted to teach and stay in districts that have foundations because of the fringe possibilities? And, does the specialized technical equipment that these foundations may provide give these students unfair advantages?

In one year the Piedmont Educational Foundation collected $420,000 from thirty-eight percent of the area's households. And Piedmont is a community of only 10,000 people. Beverly Hills residents have raised $400,000 each year for the past five years for their foundation. How many communities are able to match the Business Advisory Committee of the San Francisco Education Foundation? Sitting on this committee are such distinguished corporate leaders as Peter E. Haas, president of Levi-Strauss and Arthur V. Toupin, vice-chairman of the Bank of America.

The main argument posed by supporters of these foundations is: Why shouldn't local citizens have the right to organize, raise money and assist local schools? Local support for public schools should be promoted. Instead of worrying about them, all citizens should be encouraged to get involved. And if it weren't for these foundations upgrading our local schools, many affluent parents would pull their children out of the public schools and send them to private schools. This would inevitably further weaken the already strapped public education system in California. And, after all, the realtively small amount that foundations raise in comparison to the overall school budget is miniscule.

Kenneth Hall, a lobbyist for several different school districts, believes foundations are ". . . a sign of the times that is particularly beneficial in promoting quality education through parent involvement." Hall equates raising school funds through foundations to collecting money for a fireman's ball for the purpose of improving fire-fighting equipment. "Foundations are not in conflict with the thesis of the state contributing more funds, and they (foundations) should be encouraged to continue," Hall added.

In conclusion, it should be noted that several school foundations have championed projects dealing with disadvantaged students. Thus, SFEF helped establish a peer tutoring program for Asian and Hispanic students at Balboa High and a solar greenhouse at New Traditions Center Elementary School. Diane Kommers of SFEF is ecstatic over the possibilities of foundations. "Although foundations providing assistance to kindergarten through twelfth grades are new in California, we hope to create a statewide foundation to enhance the quality of education for all students," she stated.

In the final judgment, most education experts agree that California schools are in desperate need of financial aid. Whether the essential revenues come from the state legislature or from private foundations may determine if our schools remain public or are transformed in to quasi-private institutions.

NEW IN PRINT

Guide to California Foundations, 5th Edition, Northern California Grantmakers, 334 Kearny Street, San Francisco 94108, 1983, 492 pp. $17. A listing of more than 600 foundations and almost 200 corporations along with their granting policies and procedures for application. Indices have been arranged alphabetically, geographically and according to primary granting interests.

Women's Rights Handbook, Office of the Attorney General, 1515 K Street, Suite 511, Sacramento 95814. September 1983. 145 pp. Provides detailed information in the areas of employment rights, domestic relations, credit and insurance, reproductive rights, health care, education, rape and other violent crimes, and child abuse. Includes a summary of laws affecting women and a directory of legal and social services.

Non-election Year Fund raising: Campaign Contributions Received by State Officeholders, January 1, 1983-June 30, 1983. Fair Political Practices Commission, P.O. Box 807, 1100 K Street, Sacramento 95814. September 1983. 412 pp. Documents the $7.8 million in campaign contributions raised during the first six months of 1983 by the state's top elected officials.

Weaknesses in Internal Controls on State Agencies, Office of the Auditor General, 660 J Street, Suite 300, Sacramento 95814. August 1983. 60 pp. Reveals serious problems in the state's management of cash and other financial resources; points out that inadequacies in the internal controls of some state agencies places the state at great risk of embezzlement or fraud.

Summary of Legislative Action on the Budget Bill, 1983-84 Fiscal Year, Legislative Analyst, 925 L Street, Suite 650, Sacramento 95814. August, 1983. 266 pp. Limited availability. Summarizes the Legislature' and governor's actions on the state budget and details fiscal effects of the budget bill, the budget trailer bill, the school finance bill and the governor's veto of $1.659 million, or 3.7 percent, from the state's total spending plan.

1983-84 Final Budget Summary, Department of Finance. August 1983. 439 pp. $1.50 plus tax. Text of the Budget Act, with tables of budget totals and budget summary changes and the governor's deletions. Also includes index of budget appropriations. Available from Legislative Bill Room, State Capitol, Sacramento 95814.

Final Change Book: List of Changes to the Governor's Budget, Department of Finance. August 1983. 558 pp. $1.75, plus tax. Includes summaries of the state's total spending plan and detailed changes in line-item appropriations made by the Legislature and the governor. Companion volume to the Final Budget Summary. Available from Legislative Bill Room, State Capitol, Sacramento 95814.

California Agriculture: 1982, Department of Food and Agriculture, 1220 N Street, Sacramento 95814. 1983. 17 pp. California agriculture's annual statistical abstract includes information on the state's leading commodities, crop, livestock and dairy production, farms, investments, land values, commodity prices and exports.

Facts of Life in California, Planned Parenthood Affiliates of California, 1317-A 15th Street, Sacramento 95814. July 1983. $2.25, plus tax. Looseleaf portfolio. An up-to-date series of fact sheets on family planning with statistics on birth and fertility, teenage pregnancy, abortion, venereal disease, and contraceptive usage. Also discusses the cost effectiveness and distribution of family planning sevices, sex education, and informed consent procedures.

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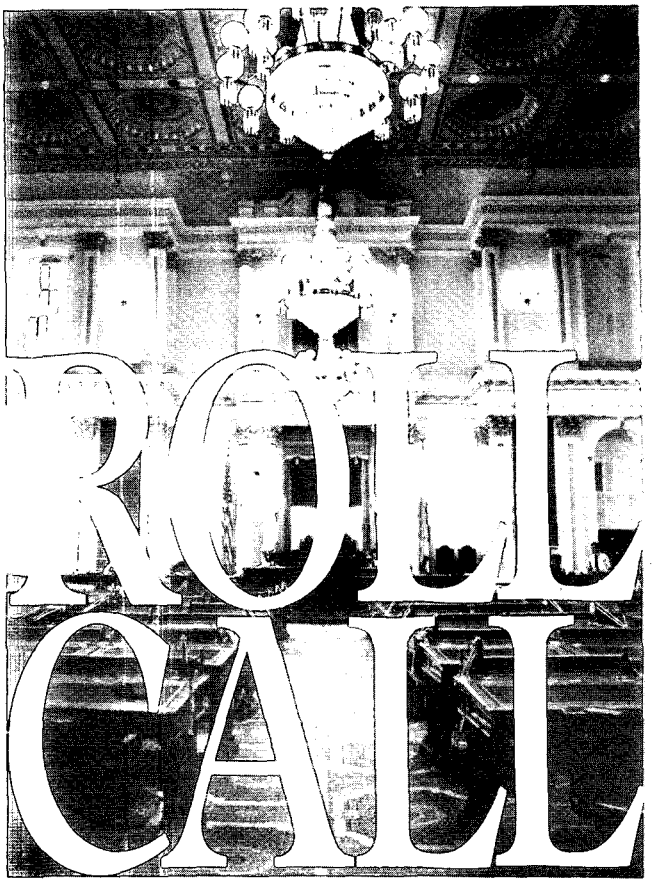

A defeated bill often has more votes in favor than against. This occurs because all bills, on the floor and in committee, need at least an absolute majority to pass. Thus, a bill may be approved 40-28 in the 80-member Assembly but be defeated because it failed to get the 41-vote majority. Urgency, appropriation and tax measures require two-thirds majorities on the floor, as do proposed constitutional amendments and veto overrides.

ASSEMBLY

CABLE TELEVISION

SB 387 (Montoya). Imposes fines of up to $1,000 and/or a 90-day jail sentence for hooking up a device that illegally intercepts cable TV transmissions. Proponents say that the market for illegal devices is growing fast. Opponents contend the bill's penalties are too stiff. Passed 54-13, Sept. 1st.

DEMOCRATS FOR: Agnos, Bane, Bates, W. Brown, Chacon, Condit, Connelly, Cortese, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Johnston, Katz, Killea, Klehs, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Roos, Sher, Tanner, Vasconcellos, Vicencia, N. Waters, Young.

REPUBLICANS FOR: Allen, Bader, Baker, Bergeson, Filante, Frazee, Herger, Hill, Kelley, Konnyu, La Follette, Leonard, Mojonnier, Mountjoy, Naylor, Nolan, Seastrand, Statham, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Areias, Calderon, Clute, Costa,Davis, Robinson, Tucker.

REPUBLICANS AGAINST: D. Brown, Frizzelle, Johnson, Jones, Lewis, McClintock.

LEGISLATORS' PAY RAISE

AB 2187 (Papan). Increases the annual salaries of state legislators to $33,732 effective December 1984, and increases the governor's salary to $85,000 in January 1987. Proponents argue that legislators' pay has not increased for four years and the governor's for 20 years. Critics counter that it is inappropriate to raise these salaries when state employees are denied a full cost-of-living increase. Passed 55-22, Aug. 31st.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Frazee, Kelley, Konnyu, Lancaster, Leonard, Mojonnier, Naylor, Stirling.

DEMOCRATS AGAINST: Moorhead.

REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Filante, Frizzelle, Herger, Hill, Johnson, Jones, La Follette, Lewis, McClintock, Mountjoy, Nolan, Rogers, Seastrand, Wright, Wyman.

TAX CREDIT

SB 1260 (Robbins). Gives taxpayers a credit of one percent of the sales tax on the purchase of a California-made vehicle if a statewide sales tax increase is implemented next year. Proponents say the credit benefits both consumers and the automobile industry. Opponents argue that the bill only takes effect if a one-cent sales tax increase is activated. Passed 50-17, Aug. 31st.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, W.Brown, Bronzan, Calderon, Chacon, Clute, Connelly, Cortese, Costa, Davis, Elder, Farr, Goggin, Harris, Hayden, Hughes, Isenberg, Katz, Klehs, Margolin, Molina, Moore, Moorhead, O'Connell, Peace, Robinson, Roos, Tanner, Tucker, Vicencia, M. Waters, N. Waters, Young.

REPUBLICANS FOR: Allen, Baker, Bergeson, Filante, Frizzelle, Herger, Kelley, La Follette, Leonard, Mojonnier, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Floyd, Hannigan, Johnston, Killea, McAlister.

REPUBLICANS AGAINST: Bader, Bradley, D. Brown, Hill, Johnson, Jones, Konnyu, Lancaster, McClintock, Mountjoy, Rogers, Seastrand.

CREDIT CHARGES

SB 1037 (Robbins). Allows retail stores and other creditors offering revolving charge accounts to impose late charges in addition to monthly interest fees. Backers argue that credit accounts should be treated the same way as installment contracts. Critics say retailers would be able to assess double charges during the delinquency period. Passed 44-21, Aug. 31st.

DEMOCRATS FOR: Areias, Bane, Bronzan, W. Brown, Chacon, Costa, Elder, Farr, Floyd, Hughes, Johnston, Katz, Peace, Robinson, Tanner, Tucker, Vicencia.

REPUBLICANS FOR: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, Mojonnier, Mountjoy, Naylor, Rogers, Seastrand, Stirling, Wright, Wyman.

DEMOCRATS AGAINST: Alatorre, Bates, Calderon, Connelly, Davis, Goggin, Hannigan, Harris,Hauser, Hayden, Isenberg, Killea, Klehs, Margolin, McAlister, Molina, Moorhead, Roos, Sher, M. Waters, Young.

REPUBLICANS AGAINST: None.

CAMPAIGN TACTICS

ACA 23 (Johnson). Constitutional amendment requiring an elected official to resign from office if found guilty of libeling a political opponent. Supporters contend that political candidates are responsible for all campaign material. Opponents raise constitutional questions. Sent back to committee 45-27, Aug. 31st.

DEMOCRATS FOR: Agnos, Alatorre, Areias, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Clute, Connelly, Cortese, Davis, Elder, Farr, Floyd, Goggin, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.

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REPUBLICANS FOR: None.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Allen, Bader, Baker, Bergeson, Bradley, D. Brown, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, McClintock, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Stirling, Wright.

HOSPITAL PERSONNEL

AB 885 (Chacon). Requires hospitals and other health facilities to use interpreters and bilingual personnel for non-English-speaking and/or handicapped patients. Sponsors say the bill is needed to improve the quality of health care for these patients. Critics contend it places a financial burden on hospitals and consumers. Passed 45-27, Aug. 30th.

DEMOCRATS FOR: Agnos, Alatorre, Bane, Bates, Bronzan, W. Brown, Calderon, Campbell, Chacon, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moore, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tanner, Tucker, Vasconcellos, Vicencia, M. Waters, N. Waters, Young.
REPUBLICANS FOR: McClintock.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Bader, Baker, Bradley, D. Brown, Felando, Filante, Frazee, Frizzelle, Herger, Hill, Johnson, Jones, Kelley, Konnyu, La Follette, Lancaster, Leonard, Lewis, Mojonnier, Mountjoy, Naylor, Nolan, Rogers, Seastrand, Stirling, Wright, Wyman.

PESTICIDE SAFETY

SB 102 (Torres). Requires farm labor contractors to pass an examination on worker safety and pesticide use. Proponents argue that the bill will reduce pesticide safety violations. Opponents contend the bill is unnecessary. Passed 53-14, Aug. 22nd.

DEMOCRATS FOR: Agnos, Alatorre, Bates, Bronzan, Campbell, Chacon, Clute, Condit, Connelly, Cortese, Costa, Davis, Elder, Farr, Hannigan, Harris, Hauser, Hayden, Hughes, Isenberg, Johnston, Katz, Killea, Klehs, Margolin, McAlister, Molina, Moorhead, O'Connell, Papan, Peace, Robinson, Roos, Sher, Tucker, Vasconcellos, M.Waters, N. Waters, Young.
REPUBLICANS FOR: Bader, Bradley, Filante, Herger, Jones, Lancaster, Leonard, McClintock, Mojonnier, Naylor, Seastrand, Statham, Stirling, Wright.
DEMOCRATS AGAINST: None.
REPUBLICANS AGAINST: Allen, Baker, Bergeson, D. Brown, Felando, Frazee, Frizzelle, Hill, Kelley, Lewis, Mountjoy, Rogers, Sebastiani, Wyman.

SENATE

SALES TAX INCREASE

SB 161 (Robbins). Increases cigarette tax by five cents per pack to raise additional revenues for community colleges. Proponents contend that a tax increase is the only realistic way to finance community colleges. Opponents object to raising taxes. Failed 25-12, Aug. 30th.

DEMOCRATS FOR: Alquist, Ayala, Carpenter, Deddeh, Dills, Foran, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Marks.
DEMOCRATS AGAINST: Boatwright.
REPUBLICANS AGAINST: Campbell, Davis, Doolittle, Ellis, Maddy, Nielsen, Richardson, Royce, Russell, Seymour, Speraw.

FAIR CAMPAIGN PRACTICES

AB 406 (Davis). Requires political candidates who get public campaign funds to sign a fair campaign practices code and agree to the disclosure of campaign material to opponents. Sponsors believe it will help discourage the distribution of false or misleading campaign material. Opponents argue that disclosure may give an opponent a tactical advantage. Passed 21-14, Aug. 29th.

DEMOCRATS FOR: Alquist, Deddeh, Dills, Garamendi, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Ellis, Marks, Royce.
DEMOCRATS AGAINST: Boatwright, L. Greene.
REPUBLICANS AGAINST: Beverly, Campbell, Craven, Davis, Doolittle, Johnson (Ind.), Maddy, Nielsen, Richardson, Russell, Seymour, Speraw.

STUD POKER

AB 402 (Vicencia). Legalizes stud poker in California. Backers say the bill allows stud poker to be played in addition to draw poker. Critics argue that it will lead to more organized crime and gambling. Passed 23-9, Aug. 26th.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, Carpenter, Deddeh, Dills, Foran, Garmendi, B. Greene, L. Greene, Hart, Keene, Lockyer, Mello, Presley, Roberti, Rosenthal, Watson.
REPUBLICANS FOR: Beverly, Craven, Maddy, Marks, Seymour.
DEMOCRATS AGAINST: McCorquodale, Stiern.
REPUBLICANS AGAINST: Davis, Doolittle, Ellis, Johnson (Ind.), Nielsen, Royce, Speraw.

CAMPAIGN FINANCING

SB 87 (Lockyer). Enacts a system for the public financing of legislative campaigns and imposes limitations on campaign contributions and expenditures. Supporters believe it will eliminate the influence of special interest funding. Critics contend that such a system insures the re-election of incumbents. Passed 27-11, Aug. 25th.

DEMOCRATS FOR: Alquist, Ayala, Deddeh, Dills, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Presley, Robbins, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Ellis, Johnson (Ind.), Maddy, Marks, Russell.
DEMOCRATS AGAINST: Boatwright, Carpenter, Foran.
REPUBLICANS AGAINST: Beverly, Campbell, Davis, Doolittle, Nielsen, Richardson, Royce, Speraw.

HUMAN RELATIONS COMMISSIONS

AB 185 (Moore). Allows county human relations commissions to investigate community group tensions and conflicts and promote equal opportunity among all community groups. Sponsors say there is a need to foster peaceful relations among all segments of society. Critics say that agencies already exist to accomplish these goals. Passed 21-9, Aug. 18th.

DEMOCRATS FOR: Ayala, Boatwright, Deddeh, Dills, Foran, Garamendi, B. Greene, L. Greene, Hart, Keene, Lockyer, McCorquodale, Mello, Roberti, Rosenthal, Stiern, Torres, Vuich, Watson.
REPUBLICANS FOR: Beverly, Marks.
DEMOCRATS AGAINST: Montoya, Presley.
REPUBLICANS AGAINST: Doolittle, Johnson (Ind.), Richardson, Royce, Russell, Seymour, Speraw.

POLICE TRAINING

SB 382 (Petris). Requires potential police officers to pass a statewide proficiency examination. Backers say all officers should meet a minimal standard. Critics argue that the bill would remove local control of training programs. Passed June 15th, 21-14.

DEMOCRATS FOR: Alquist, Ayala, Boatwright, B. Greene, L. Greene, Keene, Lockyer, McCorquodale, Mello, Montoya, Petris, Robbins, Roberti, Rosenthal, Torres, Vuich, Watson.
REPUBLICANS FOR: Doolittle, Johnson (Ind.), Marks, Nielsen.
DEMOCRATS AGAINST: Deddeh, Foran, Presley, Stiern.
REPUBLICANS AGAINST: Beverly, Campbell, Craven, Davis, Ellis, Maddy, Richardson, Royce, Russell, Speraw.

TEEN BIRTH-CONTROL

SB 245 (Speraw). Prohibits schools from excusing students to obtain contraceptives or an abortion during school hours without parental permission. Sponsors argue school officials are liable if students leave campus without a parent's consent. Opponents say the bill would violate a minor's rights. Passed June 9th, 23-6.

DEMOCRATS FOR: Ayala, Boatwright, Carpenter, Deddeh, Foran, B. Greene, Mello, Montoya, Presley, Roberti, Stiern, Torres, Vuich.
REPUBLICANS FOR: Craven, Davis, Doolittle, Ellis, Johnson (Ind.), Nielsen, Royce, Russell, Seymour, Speraw.
DEMOCRATS AGAINST: Dills, L. Greene, McCorquodale, Petris, Rosenthal, Watson.
REPUBLICANS AGAINST: None.

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Perspective from
WASHINGTON
By Leo Rennert

Growth

The Census Bureau, which usually tracks past and current trends, has dusted off its crystal ball to get a reading for the year 2000. By the start of the 21st Century, it estimates, U.S. population will have grown to 267 million — an increase of 41 million, or 18 percent, over the 1980 figure. But this growth will be far from even. There appears no letup in the tilt away from the Frost Belt to the booming Sun Belt. The South, already the most populous region, will account for more than half the national growth and finish the century will nearly 100 million people. The West, catapulting from fourth to second position, will expand at the fastest rate — more than twice as fast as the national average. At the same time, the Northeast will lose population while the Midwest barely will manage to hold on to its present numbers.

AT THE TURN of the century, California will still be the largest state,with a population of 30.6 million — a pickup of nearly 7 million since the 1980 count. That means finding room for almost another Los Angeles County or 10 San Franciscos. In 1980, California had 10.45 percent of the nation's population. By the year 2000, its share will be up a full percentage point; one out of every nine Americans will live in California.

In the perennial debate between growth and no-growth advocates,there's comforting news for each side. Developers will welcome forecasts that California's growth rate remains well above the national average. Conservationists may be heartened that the postwar boom is over. Population will rise much faster in other parts of the West. Compared with Nevada and Arizona, California is a straggler.

In fact, except for Montana, every other state in the West will grow at a faster clip than California. Nevada is expected to chalk up the bigget percentage surge in the nation — more than doubling its population from 800,000 to 1.9 million. Despite its commanding position in the nation and in the West, there is a marked deceleration in California's growth.

Moderating influences on California's growth curve are all too easily overlooked when the spotlight is focused only on sheer numbers. For example, three states — California, Texas and Florida — will post more than half the national population increase during the 1980s and 1990s. California will add 6.9 million, Texas 6.5 million and Florida 7.7 million. That hardly suggests a slow-down in California's growth. But take another look. During this period, population is expected to rise by 29 percent in California, by a far heftier 45 percent in Texas and by an explosive 79 percent in Florida. In terms of environmental impact, creation of new jobs and provision of adequate public services, where are the greater challenges and problems likely to occur? In California, or in faster-growing Texas and Florida?

While the Sun Belt struggles with its growth pangs, the Frost Belt will have to cope with different problems — shrinking markets, a declining industrial base and loss of political power. New York offers the most dramatic example. By 1990, Texas will surpass the Empire State as the second largest state. By the year 2000, Florida will move into third position, dropping New York into fourth. The new projections show New York's population on a steadily downward path — from 17.5 million in 1980 to slightly less thn 15 million by the year 2000. Lest there be some temptation in the West to crow about these figures, it may be worth noting that New York suffered less from unemployment during the last recession than did California.

Political power, however, will continue to flow toward the South and the West. By the end of the century, the Sun Belt will gain another 36 House seats at the expense of the Northeast and the Midwest. Since this trend already was well under way in 1980, that means a regional shift of more than 50 House slots — and an equal number of electoral votes in presidential elections — in the span of three censuses.

The implications already are quite apparent in the jockeying for the 1984 elections. President Reagan's Sun Belt strategy is keyed to three states — California, Texas and Florida — which now command 36 percent of the electoral votes needed to win the White House. By the year 2000, these states will have a lock on 44 percent of the necessary electoral votes. No wonder that Reagan is actively courting Hispanics who may hold the balance of power in these pivotal states. Taking the longer view, it's almost axiomatic that each party will have to build its ticket with someone from one of these states to have any chance of winning presidential elections in the foreseeable future.

Between them, California, Texas and Florida are expected to gain 21 House seats after the next two census counts. Florida will grab off the lion's share with a pickup of nine. Texas will add seven and California five. On the other side of the ledger, New York stands to lose 10. If congressional reapportionment produced bruising fights after the 1980 census, just wait for the 1990 and 2000 versions!

California's projected gain in House seats — three in 1990 and two in 2000 — points up two contradictory dimensions of its growth pattern. With 50 House seats it will be far ahead of Texas' 34. It will also control more house seats than any state ever did. (California's current total of 45 matches a record set by New York after the 1930 census.) At the same time, however, California's dominant position in the West will recede. While it now controls more than half of the region's House seats (45 out of 85), it will fall below the 50-percent mark at the start of the next century (50 out of 105).

WHEN JERRY BROWN was governor and, for a while, preached that "small is beautiful," demographic statistics of this sort were apt to stir powerful policy debates — even within his own administration. Brown's health and welfare secretary, Mario Obledo, wanted an open border with Mexico, while his resources chief, Huey Johnson, plugged for tight population controls. Neither had much of an impact. In a country that thrives on mobility, states have little control over population trends. The federal government, even as it seeks to restrict illegal immigration, also is a sideline player. We are dealing with historical and cultural forces that are not easily manageable. Even the Census Bureau isn't all that sure about its forecasts.

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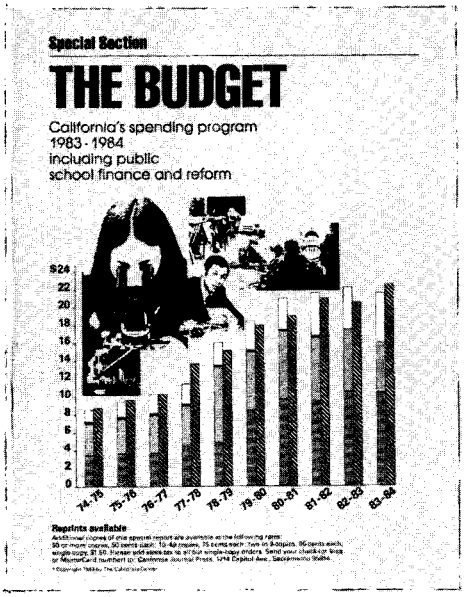
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— William Fulbright

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